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The Work of the League of Nations

SPEECH

OF

HON. MORRIS SHEPPARD

OF TEXAS

IN THE

SENATE OF THE UNITED STATES

WEDNESDAY, OCTOBER 5, 1921

WASHINGTON
1921

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SPEECH

OF

HON. MORRIS SHEPPARD.

THE WORK OF THE LEAGUE OF NATIONS.

Mr. SHEPPARD. Mr. President, I am opposed to the pending treaty because I believe that it is the duty of this Nation to ratify the treaty of Versailles and join the League of Nations. This belief has been strengthened by a study of the accomplishments of the league. I desire to lay before the Senate and the country a recital of its record before a vote is taken on an instrument in which we again assert our separation from it.

Mr. President, one of the most widely read books of the year outlines the advance of mankind from the earliest eras to the present. It concludes with a chronology of the principal events of history, the latest of which it describes as the first meeting of the League of Nations in 1920.

The league has been in operation nearly two years. Neither the American people nor Congress have had anything approaching an adequate account of its proceedings. Handicapped as it has been by the failure of the United States to become a member the league has more than justified its existence. In proof of this assertion I propose to review its work. An insight into its growth, its habits of thought and action, its aims and achievements requires an almost literal reproduction of much that was said by the representatives of the nations composing it as they proposed and discussed its various policies and enactments.

It is hardly practicable or desirable for the purposes of this statement to repeat everything that has been said in the league's deliberations or the details of all that has been done. Nothing should be overlooked, however, which would contribute to a correct impression of the league's development. It is well to begin with the initial session. As a mark of honor for the American soldier and the American people it was provided in article 5 of the league covenant that the first meeting of the council and the assembly should be summoned by the President of the United States.

The hope of the world for a better existence rested on the belief that the common spirit which had brought victory to the allied and associated arms would survive to translate that victory into a higher civilization—a civilization over which would not hang the shadow of another catastrophe like that of 1914. It seemed fitting to the nations with whom we had fought for universal democracy that the Republic which had contributed so much to the cause of liberty in its darkest hour should continue to direct the way. These nations ratified the

league and treaty in due season, accepting article 10 without question, but postponed formal approval in the hope that the United States would join them. Conditions throughout the earth continued, however, to drift from bad to worse, and it became necessary to proceed with the United States out.

FIRST SESSION OF THE COUNCIL.

On January 10, 1920, the league and treaty came into force. A few days later the President of the United States, in accordance with the terms of article 5 issued a call for the first meeting of the council of the league at Paris on January 16, and on that day the world saw the beginning of the most practical effort humanity has yet made to substitute right for force in the settlement of international disputes. In an imposing structure on the banks of the Seine a distinguished company assembled at the appointed hour to witness the initiation of the momentous undertaking. As the sunlight flooded the council chamber of the nations it threw across the table where were gathered the representatives of the participating countries the shadow of an empty chair—the chair that should have been occupied by a representative of the United States. To this day the nations of the league have kept that chair vacant, waiting and praying for our help and comradeship.

Venizelos, representative of Greece, proposed that Bourgeois, of France, should be the first president of the council. This proposal was seconded by Lord Curzon and carried unanimously.

Representative Bourgeois took his place as president.

He then stated the objects of the league, as recited in the preamble of the covenant. He said further:

> To-day, gentlemen, we are holding the first meeting of that council, convened by the President of the United States on January 13, 1920. The task of presiding at this meeting and of inaugurating this great international institution, which opens so wide a field of hope for humanity, should have fallen to President Wilson. We respect the reasons which still delay the final decision of our friends in Washington, but we may all express the hope that these last difficulties will soon be overcome and that a representative of the great American Republic will occupy the place which awaits him among us. The work of the council will then assume that definite character and that particular force which should be associated with it.

He said that January 16, 1920, would go down in history as the date of the birth of the new world; that the decision taken on that day would be in the name of all States adhering to the covenant, and would be the first decree of all the free nations leaguing themselves together for the first time in the world to substitute right for might.

He said that the league had been allotted two distinct functions, the first belonging to the present, the second to the future; the first being the execution of the treaty of peace, the second the establishment of international justice, peace, security, disarmament. He said that the first function was to be performed immediately in order to make possible the development of the second, that "in order to build on strong foundations the structure of to-morrow we must first remove the ruins accumulated by the war."

THE SAAR RIVER BASIN FRONTIER DELIMITATION COMMISSION.

He referred to the fact that article 48 of the treaty of Versailles required the appointment by the council of a commis-

sion of five members charged with the delimitation of the territory of the Saar River Basin within 15 days after the treaty came into force, one to be appointed by France, one by Germany, and three by the council.

Lord Curzon, Great Britain, then spoke, opposing the idea that the league was a superstate or supersovereignty, saying that the very title "League of Nations" should be sufficient to dispel that misconception, that the league did not interfere with nationality but rested on the fact of nationhood. He added:

Whilst I am in entire agreement with all that Monsieur Bourgeois said, I should wish especially to express my full concurrence in his observations as regards the United States of America. The decision must be her own, but if and when the United States elects to take her place in the new council chamber of the nations the place is vacant for her and the warmest welcome will be hers.

Senator Ferraris, Italian representative, addressed the council, stating that his country's aim was to have done with the past of suspicion and distrust among nations and to strive for the relief of suffering humanity; for the reconstruction of homes destroyed; for the ideal of universal brotherhood of governments and peoples; for social peace and progress, security, and well-being of States and citizens. He said that throughout the centuries Italy had been ready to embrace the idea of the League of Nations; that the league represented the fundamental principle inherited from doctrines of Roman law, handed down through priests and students of the Middle Ages to the philosophers and statesmen of the last century; that humanity was looking to the league for the solution of the tremendous problems arising out of the war. He stated in conclusion that the wise handling of these matters would convince the suffering nations how real and durable was the value of the league which was now being laid on the altar of history and consecrated to the triumph of justice over brute force—the advancement of social peace.

An address was then delivered by Representative da Cunha, Brazil, who said that Brazil, faithful to her history, would devote herself with persistent eagerness to the cause of peace and brotherhood among the nations; that she would aid with heart and soul in enabling the league to realize the ideal set before it—the organization of justice through victory; that the advent of the league marked a turning point in history, the dawn of a new era in human life; that he felt great happiness in speaking for the whole American Continent, inasmuch as his was the only American country represented.

President Bourgeois then suggested that the council proceed to select three members of the Saar Basin Delimitation Commission in accordance with article 48 of the Versailles treaty of peace. The three unanimously selected were Col. Wace, British Empire; Maj. Lambert, Belgium; Maj. Kobayashi, Japan.

RESULTS OF FIRST INTERNATIONAL LABOR CONFERENCE.

The secretary general announced that he had received the deposit of authenticated copies of the six draft conventions and of the six recommendations adopted at the first session of the International Labor Conference at Washington late in 1919, the conference authorized by the Versailles treaty to operate, not as a part of the league itself, but in connection with it. These conventions and recommendations were:

I.—DRAFT CONVENTIONS.

1. Draft convention limiting the hours of work in industrial undertakings to 8 in the day and 48 in the week.
2. Draft convention concerning unemployment.
3. Draft convention concerning the employment of women before and after childbirth.
4. Draft convention concerning employment of women during the night.
5. Draft convention fixing the minimum age for admission of children to industrial employment.
6. Draft convention concerning the night work of young persons employed in industry.

II.—RECOMMENDATIONS.

1. Recommendation concerning unemployment.
2. Recommendation concerning reciprocity of treatment of foreign workers.
3. Recommendation concerning the prevention of anthrax.
4. Recommendation concerning the protection of women and children against lead poisoning.
5. Recommendation concerning the establishment of Government health services.
6. Recommendation concerning the application of the Berne Convention of 1906 on the prohibition of the use of white phosphorus in the manufacture of matches.

The secretary announced that he had communicated the duly certified copy of these draft conventions and recommendations to the governments of all the countries interested in accordance with the provisions of the treaties of peace, for such action as might be deemed advisable.

FIRST PUBLIC MEETING, SECOND SESSION OF THE COUNCIL (LONDON).

At the beginning of the second session, February 11, 1920, Representative Balfour, Great Britain, having been unanimously elected president, took the chair and made an address in which he said that after consultation with Representative Bourgeois and his other colleagues the conclusion had been reached that the details of the work of the council could not with advantage take place in an open assembly, that they recognized "the extreme importance and indeed necessity of publicity in the true and useful form of that phrase," but that they believed the actual detailed discussion could be only carried on with that perfect freedom which was desirable and necessary if the work was to be efficiently done. He stated that the course proposed was to have the present meeting an open one, then to have the council resolve itself into a committee "to deal with the agenda in detail in executive session, and then to have another open meeting at which general results were to be made public."

SECOND PUBLIC MEETING OF SECOND SESSION.

The next public meeting of the second session of the council was held in the morning of February 13.

President Balfour opened the meeting with an address in which he again explained that the procedure "consisted of a preliminary meeting open to the public, then private discussions in committee, terminated by other public meetings at which formal decisions regarding subjects on the agenda will be taken." "The council have agreed," he said, "that the final stage of their decisions shall be taken in public." He said that

the council had been given the assistance of representatives of the other allied powers outside the great powers and of representatives of neutral countries during preceding days, and that a businesslike, friendly, and conciliatory spirit had marked the proceedings. He then called on Representative Bourgeois to report on the permanent court of international justice.

PERMANENT COURT OF INTERNATIONAL JUSTICE.

In the early part of his remarks Representative Bourgeois quoted article 14 of the league covenant, as follows:

The council shall formulate and submit to the members of the league plans for the establishment of a permanent court of international justice. This court shall be competent to hear and determine any dispute of an international character which the parties thereto submit to it. The court may also give an advisory opinion upon any dispute or question referred to it by the council or by the assembly.

Representative Bourgeois then gave a brief recital of efforts to arbitrate disputes between sovereignties in the past, referring in some detail to the unsuccessful attempts of the two Hague conferences to set up permanent courts. He said that it remained for the League of Nations to establish for the first time in history a permanent court of international justice; that the military and moral unity which for five years had held the free peoples together and concentrated their efforts in the defense of right must survive with victory; that this unity could find no nobler expression nor more splendid symbol than the erection of such a court. He said that the work should be intrusted to a commission of legal experts whose conclusions would be considered at a subsequent meeting. He proposed the following names for the commission: Mr. Satsuo Akidzuki, a former Japanese ambassador; Mr. Rafael Altamira, senator and professor of law at the University of Madrid; Mr. Clovis Bevilaqua, professor of the faculty of law of Pernambuco and legal adviser to the Brazilian ministry of foreign affairs; Baron Descamps, Belgian minister of state; Señor Luis Maria Drago, former minister for foreign affairs of the Argentine Republic; Prof. Fadda, professor of law, University of Naples; Mr. Fromageot, legal adviser to French ministry of foreign affairs; Dr. G. W. W. Gram, former member of the supreme court of Norway; Dr. Loder, member of the court of cassation of the Netherlands; Lord Phillimore, member of the English privy council; Mr. Elihu Root, former Senator and Secretary of State of the United States; Mr. Vesnitch, minister of the Serbs, Croats, and Slovenes to France.

The proposal was adopted.

The President then read the letter of instructions which it was proposed that the council send to each of the above jurists. In the letter it was stated that the court was a most essential part of the League of Nations. When Mr. Root accepted the appointment on a commission to establish one of the most vital parts of the League of Nations he became one of the prominent builders of the league.

The letter was approved by the council.

TRANSIT.

Representative Quinones de Leon, of Spain, then submitted a report on transit, ports, waterways, and railways. He said that both the covenant and the treaty imposed heavy responsibilities on the league in these respects.

He quoted article 23 of the league covenant, as follows:

Subject to and in accordance with the provisions of international conventions existing or hereafter to be agreed upon, the members of the league—

(e) Will make provision to secure and maintain freedom of communications and of transit and equitable treatment for the commerce of all members of the league. In this connection the special necessities of the regions devasted during the war of 1914–1918 shall be borne in mind.

He then pointed out that Part XII of the treaty of Versailles and the corresponding parts of the other treaties contained clauses concerning ports, waterways, and railways, the application of which was intrusted to the League of Nations. He quoted article 338 of the treaty, as follows:

The régime set out in articles 332 to 337 above shall be superseded by one to be laid down in a general convention drawn up by the allied and associated powers and approved by the League of Nations relating to the waterways recognized in such convention as having an international character. The convention shall apply to the whole or part of the above-mentioned river systems of the Elbe, the Oder, the Niemen (Russtrom-Memel-Niemen) and the Danube, and such other parts of these river systems as may be covered by a general definition.

The speaker then stated that under article 379 of the treaty this convention must be completed within five years from the coming into force of the peace treaty. He referred to various articles of the peace treaties charging the league with the preservation of the international character of several rivers and transit thereon, investing the league with authority to settle disputes between interested powers arising with regard to the articles on ports, waterways, and railways, and authorizing the council to propose changes in the permanent administrative régime as well as to revise certain stipulations in the section of the treaty under consideration.

He said that all this suggested the creation of a permanent committee on communications and transit. In order that this committee might be intelligently created he moved that the commission which had functioned at Paris on this subject at the peace conference and which had made a deep and scientific study of the problems involved be invited,

(a) To submit to the council proposals for the formation of a permanent organization as part of the organization of the League of Nations concerning communications and transit.

(b) To prepare for submission to the council drafts of general international conventions with regard to transit, waterways, ports, and, if possible, railways.

(c) Provisionally and until the organization has been formed to advise on questions which the council may submit and which fall within the jurisdiction of the league under article 23 of the covenant and articles in the various peace treaties relating to ports, waterways, and railways.

The motion carried.

INTERNATIONAL HEALTH PROBLEMS.

Representative da Cunha, of Brazil, was then asked to submit a report on international health problems. He began by stating that articles 23 and 25 of the covenant vested the league with important functions relating to health matters throughout the world. He referred to paragraph (f), article 23, which states that members of the league "will endeavor to take steps in matters of international concern for the prevention and control of disease," and to article 25, which states that "the members of

the league agree to encourage and promote the establishment and cooperation of duly authorized voluntary national Red Cross organizations having as purposes the improvement of health, the prevention of disease, and the mitigation of suffering throughout the world." He said that health measures were essentially international measures, whether it be a question of combatting contagious or epidemic diseases or of popularizing methods of cure and treatments; that a permanent committee was needed capable of coordinating and instituting the necessary statistics and keeping them constantly up to date; that this committee should follow scientific research concerning public health and circulate its discoveries, should coordinate and assist organizations already existing, such as the Red Cross societies, the International Bureau of Public Health, and other like institutions; should organize periodical and international conferences of scholars and health experts, and by systematic propaganda should impress on public opinion the necessity of individual and collective rules and habits of health. He proposed the creation of such a committee and presented a resolution inviting the health commission which the British Government had formed to study the functions of such a committee, together with a small number of international health experts, to submit methods for its formation and operation. The resolution was adopted.

THIRD PUBLIC MEETING OF SECOND SESSION.

The third public meeting of the second session of the council was held in the afternoon of February 13.

SAAR BASIN GOVERNING COMMISSION.

The President, Mr. Balfour, asked Representative Caclamanos, of Greece, to report on the Saar Basin.

Representative Caclamanos stated at the outset that by article 49, treaty of Versailles, Germany had renounced in favor of the League of Nations, as trustee, the government of the territory of the Saar Basin, whose boundaries had been fixed by article 48, that under part 3, section 4, annex, paragraphs 16 to 19 of the treaty, the government of this territory had been intrusted to a commission of five members to be appointed by the council, one a citizen of France, one a native inhabitant of the Saar Basin not a citizen of France, and three belonging to three countries other than France or Germany—that their salaries were to be fixed by the council and charged to local revenues.

He said that he thought the chairmanship should fall to the French member, that the welfare of the basin was dependent on Frence assistance, that the peace treaty, part 3, section 4, article 45, gave unqualified possession of the mines in the Saar Basin to France, as well as the administration of the customs, thus granting to France rights regarding which the French Government was not required to consult the governing commission. He added that it was important, however, that these rights should be exercised in harmony with the commission as far as the method of their application was concerned. He gave as an example the right to construct and exploit ways of communication for the service of the mines, and the right to use French money for all payments connected with the mines, etc. He reminded the council that the metallurgic industry of the Saar

Basin, which had increased considerably during the war, could not exist and develop without the iron ore of Lorraine, and that the railway system of the Saar, which the treaty empowered the commission to administer, could not work effectively without the help of material from the neighboring system of Alsace-Lorraine. He contended that welfare and order in the Saar Basin required close cooperation between the French Government, which under the treaty controlled a very important part of the economic life of the basin, and the commission to which the council under the treaty intrusted its administration.

He briefly reviewed the duties of the commission, stating that within the territory of the Saar Basin it would have all the powers of government theretofore belonging to the German Empire, Prussia, or Bavaria, including the appointment and dismissal of officials, and the creation of such administrative and representative bodies as it might deem necessary; that it would have power to administer and operate the railways, canals, and the different public services; that it would be the duty of the commission to safeguard the foreign interests of the people of the Saar Basin; that it would have the full right of use of all property other than mines belonging either in public or private domain to the Government of the German Empire or any German State in the territory of the Saar Basin; that it would have power to modify the laws and regulations in force on November 11, 1918, subject to stipulations in the treaty; that it would have similar power to establish a civil and criminal court to hear appeals from decisions of existing courts and that justice would be administered in its name; that it would have exclusive power to levy taxes and duties under conditions laid down in the treaty and must apply them exclusively to the needs of the territory; that it would be the duty of the commission to protect persons and property in the Saar Basin and to interpret the provisions of the treaty in case of dispute between France and Germany. The speaker said that the appointment of a governing commission of a State created under the auspices of the League of Nations would be the first characteristic act of the league after leaving its theoretic existence to enter upon its practical life; that it constituted the incarnation of the lofty principles that inspired the League's creation and which were to guide the League's course. Special care should be taken, therefore, to name an effective body.

The speaker then proposed the appointment of the commission, and read a number of directions for its guidance. His proposal and the directions were adopted without dissent. Four members of the commission were named in the resolution, as follows: M. Rault, France; Mr. Alfred von Boch, Saar Basin (Sarrois); Major Lambert, Belgium; the Count de Moltke Huitfeldt (Denmark). The fifth member was to be announced later.

It should be added here that the treaty of Versailles provides that at the end of 15 years from the coming into force of the treaty the inhabitants of the Saar Basin shall be called upon to indicate the sovereignty under which they desire to be placed.

DANZIG.

The presiding officer, Mr. Balfour, next asked Representative Hymans, Belgium, to report on the free city and territory of Danzig.

Representative Hymans quoted article 103 of the treaty of Versailles, which was as follows:

A constitution for the free city of Danzig shall be drawn up by the duly appointed representatives of the free city in agreement with a high commissioner to be appointed by the League of Nations. This constitution shall be placed under the guaranty of the League of Nations.

The high commissioner will also be intrusted with the duty of dealing in the first instance with all differences arising between Poland and the free city of Danzig in regard to this treaty or any arrangements or agreement made thereunder.

The high commissioner shall reside at Danzig.

He referred to article 100 of the treaty by which Germany renounced in favor of the principal allied and associated powers all rights and title over the territory comprised within the limits of the city and territory of Danzig as set out in the article, and to article 102, by which the principal allied and associated powers undertook to establish the city of Danzig, together with the rest of the territory described in article 100, as a free city, which was to be placed under the protection of the league.

Representative Hymans then said that the first duty of the high commissioner would be to reach an agreement with the duly appointed representatives of the free city in regard to its constitution; that inasmuch as the treaty did not specify the method of appointment the high commissioner should make proposals to the council; and that the method selected for securing representatives of the free city should be as democratic as possible. He said that the high commissioner's next duty would be to deal, in the first instance, with all differences arising between Poland and the free city of Danzig as to the matters already mentioned in article 103, and that, thirdly, he should report to the council on all matters within his jurisdiction as high commissioner. He added that the commissioner would carry out any subsequent instructions from the league and would be responsible to the league.

Representative Hymans then pointed out that the treaty placed the constitution of the free city under the guarantee of the league; that it was advisable, therefore, that the commissioner should submit the constitution to the council before formally agreeing to it, and should suggest that the constitution expressly provide that the consent of the league be obtained for subsequent changes. He suggested that the constitution of the free city might have some bearing on the treaty between it and Poland which the principal allied and associated powers undertook in article 104 of the peace treaty to negotiate, and said that until that constitution should come into force the administration of the city and territory of Danzig had been intrusted to Sir Reginald Tower, who, as representative of the principal allied and associated powers, was qualified to preside over the investigations at Danzig with a view to the proposed treaty between Danzig and Poland. He suggested further that the council select Sir Reginald Tower as high commissioner under article 103, leaving to him at the same time the completion of the investigations last mentioned. This would invest Sir Reginald Tower with two functions: The first, which makes him already the representative of the principal allied and associated powers; and the second, which would make him the

trustee of the League of Nations. The speaker then proposed a resolution worded as follows:

In view of articles 100 to 108 of the treaty of Versailles of June 28, 1919:

Whereas the city of Danzig shall be established as a free city; and

Whereas a constitution for the free city of Danzig shall be drawn up by the duly appointed representatives of the free city in agreement with the high commissioner to be appointed by the League of Nations; and

Whereas this constitution of the free city of Danzig shall be placed under the guarantee of the League of Nations; and

Whereas the high commissioner of the League of Nations will also be intrusted with the duty of dealing in the first instance with all differences arising between Poland and the free city of Danzig in regard to the treaty of peace with Germany, signed at Versailles 28th June, 1919, or any arrangements or agreements made thereunder:

The council of the League of Nations hereby resolves that—

I. Sir Reginald Tower be appointed high commissioner of the League of Nations at Danzig, as from the date of this resolution; be entrusted with the duties of high commissioner, as mentioned above, and be invited to submit in due time the constitution of the free city of Danzig to the approval of the League of Nations in order that the constitution may be placed under the guarantee thereof, etc.

The resolution was unanimously adopted.

POLISH MINORITIES.

The president next asked Representative Matsui, Japan, to report on the Polish minorities treaty. Representative Matsui said that under that treaty Poland had agreed that its stipulations affecting racial, linguistic, or religious minorities should constitute obligations of international concern and should be placed under the guarantee of the League of Nations, and that it was necessary for the council to decide whether the league should undertake that guarantee. He said that the Polish treaty was the first of quite a number of similar treaties affecting the rights of minorities, and that the guaranty by the league of these rights would strongly contribute to the maintenance of peace. He proposed a resolution to the effect that the stipulations of the treaty between the principal allied and associated powers and Poland relating to minorities be placed under the guarantee of the League of Nations. The resolution was adopted.

PROCEDURE.

The President stated that the subject of procedure for the council had been referred to a committee for further consideration.

SWITZERLAND'S MEMBERSHIP IN THE LEAGUE.

The President then took up the subject which had been referred to him—the entry of Switzerland into the league. He said it was the opinion of the council that it was the intention of the framers of the covenant and in accordance with the highest interest of the league and its future working that Switzerland should be, what Switzerland desired to be, an original member of the league.

One of the difficulties, he said, was due to the fact that the covenant required nations desiring to be counted as original members of the league to join within two months after the formal signing of the treaty with Germany—that is, by the 10th of March—that the popular vote required by the Swiss constitution in such matters might not be concluded by that time, although the representative body in Switzerland, the Federal Council, had stated that Switzerland desired membership. He

said that the other difficulty arose from the fact that the allied and associated powers had stated that the age-long neutrality of Switzerland was in the interest of peace and in conformity with the interests to be guarded by the league, but that on the other hand complete neutrality in everything economic and military was clearly inconsistent with the position of the league. He said that the council considered, however, that Switzerland was prepared to accept conditions bringing her into substantial conformity with the covenant and that the difficulties in the way of the admission should be overruled.

He offered the following declaration in the nature of a resolution:

The council of the League of Nations, while affirming that the conception of neutrality of the members of the league is incompatible with the principle that all members will be obliged to cooperate in enforcing respect for their engagements, recognizes that Switzerland is in a unique situation, based on a tradition of several centuries which has been explicitly incorporated in the law of nations; and that the members of the League of Nations, signatories of the treaty of Versailles, have rightly recognized by article 435 that the guaranties stipulated in favor of Switzerland by the treaties of 1815 and especially by the act of November 20, 1815, constitute international obligations for the maintenance of peace. The members of the League of Nations are entitled to expect that the Swiss people will not stand aside when the high principles of the league have to be defended. It is in this sense that the council of the league has taken note of the declaration made by the Swiss Government in its message to the Federal Assembly of August 4, 1919, and in its memorandum of January 13, 1920, which declarations have been confirmed by the Swiss delegates at the meeting of the council and in accordance with which Switzerland recognizes and proclaims the duties of solidarity which membership of the League of Nations imposes upon her, including therein the duty of cooperating in such economic and financial measures as may be demanded by the League of Nations against a covenant-breaking State, and is prepared to make every sacrifice to defend her own territory under every circumstance, even during operations undertaken by the League of Nations. but will not be obliged to take part in any military action or to allow the passage of foreign troops or the preparation of military operations within her territory

In accepting these declarations the council recognizes that the perpetual neutrality of Switzerland and the guaranty of the inviolability of her territory as incorporated in the law of nations, particularly in the treaties and in the act of 1815, are justified by the interests of general peace and as such are compatible with the covenant.

In view of the special character of the constitution of the Swiss Confederation the council of the League of Nations is of opinion that the notification of the Swiss declaration of accession to the league, based on the declaration of the Federal assembly and to be carried out within two months from January 10, 1920 (the date of the coming into force of the covenant of the League of Nations), can be accepted by the other members of the league as the declaration required by article 1 for admission as an original member, provided that confirmation of this declaration by the Swiss people and Cantons be effected in the shortest possible time.

The resolution was carried.

INTERNATIONAL FINANCIAL CONFERENCE.

The president then observed that one item remained which had not appeared on the program. He referred to the financial difficulties and the difficulties of exchange in which many constituent nations were involved, and moved, first, that the League of Nations convene an international conference to study the financial crisis and to look for a means of remedying it and of mitigating the dangerous consequences arising from it; second, that a commission composed of members of the council nominated by the president be instructed to summon the States chiefly concerned to the conference and to convene it at the earliest possible date. The motion was agreed to.

CLOSING REMARKS.

The President then stated that the council had agreed to leave the date and agenda for the next session to the president in consultation with the secretary general and to meet next at Rome unless some unforeseen obstacle should occur. He congratulated and thanked his colleagues for the admirable harmony, business spirit, and useful work of the session.

Representative Bourgeois for the council thanked the president for the ability and fairness with which he had presided and which had aided the council in determining the right principles to be applied and in solving the practical difficulties resulting from the application and execution of the treaty. He said that the unanimous agreement of the council on these points would give the world an idea of the profound accord existing among the members and assurance that right would prevail in the free development of international institutions, thereby constituting a guaranty of peace.

THIRD SESSION, PARIS, MARCH 13, 1920.

At the public meeting of the council's third session at Paris, on March 13, Representative Bourgeois, of France, the presiding officer, said that a letter had been sent to the secretary general of the league, Sir Eric Drummond, on February 24, 1920, by Mr. Lloyd-George, as president of the supreme Council of the Allies, inviting the council of the league to make an inquiry into Russian conditions; that the council of the league at several private sittings had considered the matter, and that Representative Balfour would report thereon at the present meeting.

GROWING VITALITY AND POPULARITY.

Before calling on Mr. Balfour the presiding officer spoke of the progress the league had already made, saying that the league had asserted itself not only in speech but in action; that it had taken in hand the double task of collaborating at once in the execution of the treaty of peace and of creating permanent organizations as a basis for the international life of the future. He reviewed the league's decisions at its first and second sessions, in Paris and London, respectively, and said that the growing vitality of the league was shown by the increasing confidence of the nations. He alluded to the fact that the 13 States invited by the covenant to become members of the league had all signified their adhesion, namely, the Argentine Republic, Chile, Colombia, Paraguay, Persia, Spain, Denmark, Netherlands, Norway, Salvador, Sweden, Switzerland, and Venezuela. He mentioned the fact that the Governments represented on the supreme council of the Allies had asked the league to convene an international financial conference and to arrange for a commission to inquire into Russian conditions. He remarked that whenever Governments were faced with an exceptionally difficult international problem which could not immediately be solved, they seemed disposed to submit it for study and solution to the League of Nations.

THE RUSSIAN INQUIRY.

He then asked Mr. Balfour to report on the Russian inquiry.

Mr. Balfour began by stating that the present session was to have been held in Rome, but that the inquiry of the Russian matter required immediate decision by the council, which had been considering it informally at Paris. The matter originated, he said, in an appeal to the supreme council of the Allies by

the international labor office with regard to an inquiry into Russian labor conditions which the labor office desired to undertake. The supreme council thought that the inquiry should be extended to include Russia's relations to the peace of the world and that the inquiry should be undertaken by the council of the league. He said the council of the league had met at Paris the previous day to organize a commission of inquiry; that it was found advisable to arrange for a general inquiry, including labor conditions, under the auspices of the league, and a special inquiry, confined to labor, under the auspices of the international labor office; that the labor office should nominate and the league appoint two members of the league commission to act as a connecting link between the two commissions.

Mr. Balfour then submitted three resolutions embodying the plan he had described, with a telegram to be sent the soviet government inquiring if it was prepared to receive the commission and to afford the necessary immunities and facilities. The resolutions were carrried.

TYPHUS IN POLAND.

President Bourgeois stated that the next question would be that of typhus in Poland. Mr. Balfour said that under a decision of the council at its last meeting an international health conference was to meet in London toward the end of April to prepare proposals for the organization of a permanent body to advise the league on questions affecting the health of nations; that on account of the necessity of protecting Poland and nations to the west of Russia from the spread of epidemic typhus, the council had decided that the health conference should be invited to set to work at once.

A resolution containing this request was then adopted.

FOURTH SESSION, PARIS, APRIL 11—ARMENIA.

At the public meeting of the fourth session of the council, held at Paris on April 11, Representative Fisher, of Great Britain, presented a report on Armenia, referring at the outset to a telegram, on March 12, from Lord Curzon, president of the conference of foreign ministers and ambassadors, sitting in London, inquiring whether the league council would accept for the League of Nations the protection of the future independent State of Armenia. He said the council had examined the questions at special meetings in Paris between April 9 and April 11, and had authorized him to state its conclusions.

He said the council believed that a free and secure Armenia would receive the sympathy and support of the civilized world. He added that the sufferings of Armenia in scale and atrocity were unexampled in history; that it would be an indictment of civilization if the repetition could not be prevented; that in the opinion of the council some civilized state should accept a mandate for Armenia under the League of Nations; that the council would request the assembly of the league to consider a collective guarantee of whatever financial support might be necessary; that inasmuch as the assembly would not meet till autumn, the council of the league was entering into a communication with the supreme council of the allied powers to determine what provisional financial arrangement could be made to aid in the solution of the problem. He said that acceptance of a mandate would depend partly on military measures that might be devised to liberate the territory and protect its frontiers

and partly on finance; that the council did not think its province included an examination of the military situation in Armenia or the measures necessary to maintain peace.

MINORITIES IN TURKEY.

The report on the protection of minorities in Turkey was presented by Baron d' Hestroy, representing Belgium. He said the council had been asked by telegram on March 12 from Lord Curzon for the council of ambassadors whether the League of Nations would guarantee the clauses of the treaty of peace relating to minorities in Turkey. Further details were requested and confidentially considered by the council. The speaker said that the fate of 2,000,000 non-Mussulmans was involved, and that the mission of the league and the expectation of the world required that it protect them and do everything possible to prevent the recurrence of massacres and other crimes. He said that no definite step could be taken until the peace treaty with Turkey had been definitely fixed, and suggested that the supreme council of the allied powers be advised that the council of the league would discuss with them the nature of the required guaranties.

REPATRIATION OF PRISONERS.

Count Longare, representing Italy, reported on the repatriation of prisoners of war in Siberia. He said that on February 7 the supreme economic council sitting at Paris had debated whether the council of the league should be asked to take up the matter of helping the prisoners of war in soviet territory, and that the league council had decided to consider it. He said that these prisoners had suffered untold privations, many of them having been in captivity for five years; that during the past year the Red Cross had tried to extend aid but while obtaining remarkable results had been unable to cope with the extent and gravity of the evil; that there still remained large numbers, between 120,000 and 200,000, in Siberia alone, who could not be repatriated immediately for lack of transport. He said that a person of world-wide reputation for organizing and executive ability and for high moral standing should be intrusted the task of formulating proper measures; that the council had such a person in mind and had invited him to act but that as yet no reply had been received.

DANZIG.

Representative de Leon, Spain, reported on the Danzig elections. He said that the high commissioner selected by the council, Sir Reginald Tower, had submitted preposals regarding these elections which were acceptable. He proposed that Sir Reginald be advised that the present elections could proceed in accordance with these proposals, but that they would not bind the council or the constituent assembly of Danzig in framing election stipulations for the constitution of Danzig.

GOVERNMENT OF SAAR BASIN.

The Official Journal of the League showed that on March 25 the governing commission of the territory of the Saar Basin constituted by the council on February 13 had forwarded its first report to the council.

The report stated that the commission arrived at Saarbruck on February 21, but held several meetings and decided several preliminary questions before official entry into the city. One of these questions was the distribution of duties among the

members. This was made as follows: The president, M. Rault, took charge of the interior, foreign affairs, commerce, industry, and labor; Mr. van Boch of finance; Mr. Lambert of public works, railways, postal and telegraph service; Mr. van Moltke-Huitfeldt of public education, ecclesiastical matters, charities, health, and social insurance. The departments of justice, agriculture, and supply were reserved for the fifth member, who had not yet been appointed, being taken over ad interim by the president.

FIRST PUBLIC MEETING, FIFTH SESSION OF COUNCIL, ROME, MAY 15.

At the first public meeting of the fifth session, at Rome, May 15, the presiding officer, Representative Tittoni, of Italy, welcomed the council to Rome, outlined the program of the meeting, and referred to several questions not requiring special reports. He said the council had decided to send a letter to the supreme council of the allied powers on Armenia, that the league council had approved certain financial advances by the secretary general, Sir Eric Drummond, to the international labor organization, and had decided to refer to the assembly the request that Luxemburg be admitted to the league.

WHITE-SLAVE TRAFFIC.

Representative da Cunha, of Brazil, then made a report on the traffic in women and children, saying that under article 23, subdivision (c), of the covenant the league had assumed certain responsibilities in connection with the suppression of this traffic, responsibilities which must not be evaded, though the time had not yet come for a definite discussion as to the best method of action.

He alluded to the international conference which met in Paris in 1902 on call of France to agree on methods of suppressing the white-slave traffic. This conference was attended, he said, by delegates from 16 States, and drafted for approval by the Governments a draft convention and draft agreement, only the latter, however, being signed, and coming into force in 1905.

Central offices were established under this agreement, he added, in all the signatory countries, to wit, Germany, Austria-Hungary, Belgium, Brazil, Denmark, Spain, France, Great Britain, Italy, Norway, the Netherlands, Portugal, Russia, Sweden, Switzerland, for collection of information as to the enticing of women and girls to foreign countries for purposes of prostitution, for identification of procurers, and for repatriation of victims. The speaker said that notable results had followed; that there was interchange of useful information among the offices, including notification of arrival and departure of persons known or suspected to be engaged in the traffic, demands for investigation of the situation of victims of the traffic, and information as to convictions of persons exploiting prostitution. He said that better results could have been secured if the draft convention of 1902 had also been signed, but that it had been criticized by various governments. In order, therefore, to reach a thorough understanding a second conference was held at Paris in 1910 which resulted in a convention acceptable to the respective governments. Under this convention the contracting states undertook to initiate new measures wherever needed, and the penal laws were generally strengthened. The speaker said that his own country, Brazil, had enacted laws

especially rigorous, recognizing in the fight against the white-slave traffic a world-wide principle. The signatory States had intended to hold further conferences at stated periods, but the World War put these plans in abeyance.

He pointed out that the traffic was not very active during the war on account of the restrictions imposed on persons leaving the ports; that it seemed now less general than before the war, but that the traffickers were taking fresh precautions and redoubled vigilance was essential. He referred to the International Bureau for the Suppression of the White Slave Traffic, organized in 1913 at a general conference of various national societies, many of which received subsidies from their governments and had government representatives on their committees. He said that the bureau was prepared to call a new conference, and suggested that the league postpone action until after this conference had met and made recommendations. He proposed, first, that the secretary-general attach to his office an official specially charged with the duty of keeping himself informed on all questions concerning the white-slave traffic; second, that the league postpone further action until the proposed conference should meet and submit proposals. These suggestions were approved by the council.

EUPEN AND MALMEDY.

Representative Matsui, of Japan, then made a report on Eupen and Malmedy. He said the German chargé d'affaires in London had sent a note, dated April 20, to the league regarding article 34 of the treaty of Versailles, which article was as follows:

> Germany renounces in favor of Belgium all rights and title over the territory comprising the whole of the Kreise of Eupen and Malmedy.
>
> During the six months after the coming into force of this treaty registers will be opened by the Belgian authorities at Eupen and Malmedy, in which the inhabitants of the above territory will be entitled to record in writing a desire to see the whole or part of it remain under German sovereignty.
>
> The results of this public expression of opinion will be communicated by the Belgian Government to the League of Nations and Belgium undertakes to accept the decision of the League.

The note asked that a commission be sent by the league to verify and supervise the vote authorized in article 34, that the league insure a free record, unhampered by threats or by judicial or economic discrimination against the voters.

The speaker said that the German chargé d'affaires had presented a further note, dated May 6, to which was annexed a copy of a note sent to the peace conference at Paris, these notes relating to certain incidents which had occurred in connection with the public expression of opinion—that the chargé d'affaires had sent another note to the league on May 14 relating to expulsions by the Belgian authorities of persons who had come into the districts of Eupen and Malmedy since August 1, 1914.

Representative Matsui then stated that the question to be determined was whether under article 34 the league could at present take any action concerning the public expression provided for in that article. He said the article appeared to intrust arrangements for the public expressions entirely to Belgian authorities, that the registers were to be opened by the Belgian authorities and the results communicated to the league by the

Belgian authorities, that these results could not be so communicated until after six months from January 10, 1920, the date of the coming into force of the treaty, and that the league had no right to intervene until the results were transmitted by the Belgian authorities. He suggested that these facts be embodied in the league's reply to the German notes.

The speaker said that the German chargé d'affaires had sent another note on April 20 relating to article 35 of the treaty, which article read as follows:

A commission of seven persons, five of whom will be appointed by the principal allied and associated powers, one by Germany, and one by Belgium, will be set up 15 days after the coming into force of the present treaty to settle on the spot the new frontier line between Belgium and Germany, taking into account the economic factors and the means of communication.

Decisions will be taken by a majority and will be binding on the parties concerned.

The note called attention to a decision by the commission authorized in article 35 on March 27, 1920, whereby, in deference to a demand of the Belgian member, the railway line Raeren-Kalterherberg in the German Kreis Monschau was given to Belgium on certain conditions to be fixed thereafter, stating that the German Government, for reasons set forth in the note, could not recognize the decision, and asking that it be revoked. The note added that if the allied and associated Governments should hesitate to allow this request the German Government would submit the question to an international court of arbitration, and that an identical note had been addressed to the president of the peace conference and the Governments of Great Britain, France, Italy, Japan, and Belgium.

The speaker said it should be observed that the commission, under article 35, is composed of persons appointed by the two interested parties and the principal allied powers; that the article did not mention the League of Nations; that inasmuch as a formal acknowledgment of the note had been sent the German Government by the secretary general, it was hardly necessary for any further reply to be returned.

He said that the Belgian Government had sent the league a note stating its views of the powers of the commission created by article 35 and that copies of this and the other documents had been distributed to members of the council.

DISEASE IN CENTRAL EUROPE.

Representative Balfour reported on prevention of disease in central Europe. He said the matter had been assigned to him because it was started through a letter he had written as temporary president of the council to the general meeting of the League of Red Cross Societies in Switzerland appealing to them to look into the situation that had arisen in connection with typhus and other infectious diseases. He said a very sympathetic reply had been received, announcing that on assurance from the league that food, clothing, and transportation would be supplied by Governments the League of Red Cross Societies would at once formulate plans for the immediate extension of voluntary relief within the affected districts.

Mr. Balfour then stated that the question of supplies in Poland and eastern Europe had been investigated by a committee called the Relief Credits Committee which met in Paris on April 21; that this committee surveyed the resources that might be turned over to the Red Cross under the various head-

ings of food, clothing, transport, and medical stores, and had concluded that at all events until the next harvest there seemed to be an adequate supply of these necessaries if properly used. It was his opinion that these supplies were partly due to credits supplied mainly by the British and American Governments and to supplies given by those two Governments; also to voluntary efforts of people connected with the Red Cross societies and other associations and credits given by traders and individual enterprise.

Mr. Balfour thought the Red Cross societies might be assured that sufficient material would be forthcoming, although the league was without power to provide it, and suggested a letter to the societies to this effect and urging them to go ahead with the relief work. The proposal was approved and carried out.

PERMANENT COURT OF INTERNATIONAL JUSTICE.

The secretary general, Sir Eric Drummond, then reported on the committee of international jurists who were to be invited to draw up plans for a permanent court of international justice. He said that invitations had been sent to Messrs. (1) Akidzuki, (2) Altamira, (3) Bevilaqua, (4) Descamps, (5) Drago, (6) Fadda, (7 Fromageot, (8) Gram, (9) Loder, (10) Lord Phillimore, (11) Mr. Root, (12) Vestnitch. All had accepted except Mr. Akidzuki, who was compelled to return to Japan; Mr. Gram, who pleaded ill health and advanced age; and Mr. Drago, who was prevented by personal circumstances. Mr. Akidzuki suggested that in his stead Mr. Adatci be invited, and this was done, Mr. Adatci accepting.

The secretary general pointed out that the committee would be composed of 10 members, 5 being nationals of great powers and 5 being nationals of smaller powers. He stated that a memorandum on the question of establishing a permanent court of international justice had been prepared by the legal section of the general secretariat of the league and distributed to members of the committee; that drafts for the establishment of a permanent court prepared by various belligerent and neutral Governments or by government commissions had been communicated to the general secretariat and dispatched to the members of the committee.

He announced that the date for the first meeting of the committee on the permanent court had been fixed for June 11, and that the Netherlands Government had invited the committee to meet at The Hague.

PRISONERS OF WAR.

Representative Tittoni, Italy, then submitted a report on prisoners of war in Siberia. He said there were still several hundred thousand prisoners of war in Russia, Siberia, Germany, and so forth, living under terrible conditions; that they were mostly Austrians, Hungarians, Germans, and Russians; that in view of the condition of the territory in which they were located it was very difficult to assist, feed, or repatriate them. He said that there was a scarcity of ships for their transport from Siberia; that the international committee of the Red Cross in Geneva had rendered valuable aid and had been able to repatriate a small number of prisoners from Vladivostok, but that this committee was not able to meet such overwhelming needs, and the League of Nations had considered it was its

duty to take up this question. He added that the league had sent the famous explorer, Nansen, to make investigations and proposals for the council; that he was already at work; that it was hoped his report would soon be received; and that it was absolutely necessary to save these unfortunate people from another winter in exile.

SECOND PUBLIC MEETING—FIFTH SESSION—OPENING ADDRESS.

At the second public meeting, fifth session, Representative Tittoni, presiding, opened the meeting with a speech alluding to the historical significance of the fact that the league should have emerged from its period of preparation and established definite rules of procedure. He referred to the historical development by Rome and Italy of the idea of universal peace and arbitration, and, coming to modern times, recalled utterances by Bourgeois in 1909, Balfour in 1917, Destree in 1915, and by himself in 1906 pointing out the need of international action and international guaranties for the preservation of peace. He contended that there was also need for practical cooperation among the nations of the world in dealing with immediate problems. He said that the league must obtain the moral support of public opinion, and referred to the work of the council in Rome and its decision concerning the registration of treaties which was intended to end secret diplomacy. He mentioned the approaching international financial conference at Brussels and the importance of the international labor organization with its program of social reform.

CONVENING OF ASSEMBLY.

Representative Coromilas, of Greece, then presented a report on the convening of the assembly. He stated at the outset that two classes of States had the right to enter the League of Nations as original members—first, those signing the treaty of Versailles; second, those invited to signify their accession to the covenant within two months from the coming into force of the treaty. He said the latter class included the 13 most important countries remaining neutral during the war, and that by March 10 last all had declared adhesion to the league; that of the signatory States nearly all had ratified the covenant; that, therefore, the following 37 countries and dominions had become members of the League of Nations: Argentine Republic, Belgium, Bolivia, Brazil, British Empire, Canada, Australia, South Africa, New Zealand, India, Chile, Colombia, Czechoslovakia, Denmark, France, Greece, Guatemala, Italy, Japan, Liberia, Netherlands, Norway, Panama, Paraguay, Persia, Peru, Poland, Portugal, Rumania, Salvador, Serb-Croat-Slovene State, Siam, Spain, Sweden, Switzerland, Uruguay, and Venezuela.

He called attention to the fact that under article 2 of the covenant the league operates through an assembly and a council, with a permanent secretariat. He said that the secretariat, and shortly afterwards the council, had been set up, both having been in operation for several months; that the council had decided many questions and had taken preliminary steps in creating certain organizations referred to in the covenant and treaty, organizations essential to the execution of the covenant and treaty; that for the league's work to develop maximum power and usefulness it remained for the assembly to be summoned. He said a number of new States had requested admission, a matter for the assembly to decide. He said the

date for the meeting of the assembly should be fixed so that member Governments would have time to receive and consider all documents and information bearing on questions to be discussed and so that delegates would have time to reach the meeting place. The council thought, he said, that the most suitable time would be the first fortnight in November, and had sent to President Wilson, who was authorized under article 5 of the covenant to call the first meeting of the assembly, a telegram asking him to summon the assembly for that time, the meeting to be held at some European place ultimately to be chosen on the council's proposal after further exchange of views.

INTERNATIONAL STATISTICS.

Representative Destree, Belgium, then presented a report on international statistics. He said that international statistics were dealt with by international commissions and bureaus under international conventions, that under article 24 of the covenant any international commission or bureau which may be constituted by treaty to deal with such questions was to be placed under the direction of the League of Nations, as might also be done with existing international commissions and bureaus, if the parties agreed.

He stated that a conference of statistical experts which met at London the previous year through the initiative of the secretary-general of the league had expressed the opinion it would be advisable if all the work in the statistical field whose accomplishment was a necessity in the political life of nations could be organized with a uniform and centralized system. The speaker said that this was an object which required the assistance of experts and persons who make use of statistics and proposed that a commission be appointed. The council adopted the report.

TYPHUS IN POLAND.

Representative da Cunha, Brazil, then submitted a report on typhus in Poland. He recalled the action of the council at a prior meeting requesting the International Medical Conference (convened at the council's request) to study the matter of typhus in Poland, and stated that this international health conference had made an exhaustive report urgently appealing for the cooperation of the league. The speaker said that if the league's efforts in dealing with disease were successful infinite good would be done not only in combating suffering but in developing among the nations a spirit of mutual understanding and cooperation. He said that modern knowledge had made it possible to check typhus and mitigate its terrors, and that this knowledge itself imposed new responsibilities on governments, that henceforth humanity could not hold aloof from a country which, stricken with disease, was unable to check it, that an epidemic in one country threatens all surrounding countries having commercial or other relations with the infected areas, that civilized countries could not in their own interest afford to dissociate themselves from the fate of infected regions.

The speaker stated that health, wealth, prosperity, and peace were closely bound up together; that disease and faulty hygiene were often responsible for inadequate work, or low output, and for suffering of which social and political troubles are the outcome; that it was hard to tell how many world troubles were due to pathological causes that could be eliminated; that

money spent in fighting epidemics and overcoming disease would contribute largely to the social equilibrium in many regions of the globe.

The speaker said he understood the president of the council had already tentatively approved the recommendation of the health conference for the appointment of a chief commissioner and a medical commissioner who would take steps to combat typhus in Poland, and that two other officials, already appointed, had taken initial steps to carry out, subject to the council's approval, the further recommendations of the medical conference. He stated that prompt action was necessary to avoid disaster in the coming winter; that while Poland was one of the principal centers of infection the menace of typhus had spread to other countries; that the council, having decided that the unhappy condition of Poland required combined action by all league members, could not enforce nor recommend a definite scale of contribution; that the council felt, however, that the countries of the world, as members of the family of nations, could not forget a sister suffering country and would lend her assistance. He said that the danger threatening the commercial interests of countries in trade relationships with the affected areas must not be overlooked. Resolutions approving the appointment of the commissioners above mentioned and appealing to the nations for aid were then passed.

ARMAMENTS.

The next report was by Representative Bourgeois, France, on an armament commission to deal with military, naval, and air questions. He began by stating that the council at its Paris meetings of April 10 and 12 had decided to take up at this meeting the constitution of the permanent commission, which under article 9 of the covenant is to advise the council on the execution of the provisions of articles 1 and 8 on military, naval, and air questions generally.

He said that article 1 defined the military regulations which must be accepted by States, not included in the list of original members, which are seeking admission to the league, and that the framing of these regulations should be the first and immediate task of the commission described in article 9. He summarized the provisions of article 8, relating to disarmament, interchange of information on military equipment, plans by council for reduction of armament, and so forth, and said that no higher duty confronted the council than to constitute at the earliest possible moment a permanent commission to determine the military, naval, and air situation in the various member States. He said that no action of the league could be of greater value for the maintenance of peace; that no decision of the council in other matters could be really effective if it did not carry out these duties with which it had been specifically intrusted; that the question of armament reduction interested public opinion above all others.

He spoke of the difficulties that would face the commission, saying it would be hard to draw up a practical scheme and to determine the military situation of the world as long as the conditions of the treaty of peace regarding the disarmament of the central empires were unfulfilled; that the troubled condition of Europe made the situation still more obscure; that the present duty of the council, however, was not to make final

decisions, but to prepare the work and outline a future policy. He suggested that the technical work of the commission begin at once so that the council would be enabled to take final decision when part of the stipulations of the treaty should have been carried out and European conditions would be such as to permit a solution of the disarmament problem. He proposed that the organization of the commission be determined at once.

He directed attention to the fact that apart from article 8 the council might need the advice of the armament commission as to other terms of the covenant and the treaty. He cited article 16, which stipulates that if any member nation disregards its covenants under articles 12, 13, or 15, relating to arbitration and settlement of disputes, it shall be the duty of the council to recommend to the several Governments what effective military, naval, or air force they should severally contribute to the armed forces to be used to protect the covenants of the league. He referred also to article 23, paragraph (d), which intrusts the league "with the general supervision of the trade in arms and ammunition with the countries in which the control of this traffic is necessary in the common interest."

He called attention to the convention regarding the arms and ammunition trade signed September 10, 1919, at St. Germain, by the allied and associated powers, other powers being invited to adhere thereto, the object being to establish a system of restriction and, in some cases, of prohibition, of export of arms. That convention provided for a central international organ, which was to be placed under the authority of the League of Nations, an office which was to collect information and statistics on the quantity and destination of exported arms and ammunition. That convention, the speaker continued, had not yet been ratified by the signatory powers, but it was declared in the final protocol that "it would be contrary to the intentions of the signatory powers and to the spirit of the convention should one of the powers take measures inconsistent with the terms of the convention pending its coming into force."

The speaker then said that with a view of carrying out article 23, paragraph (d), of the covenant the permanent commission on armaments should obtain from the signatories to the convention and the member nations of the league all relevant information on the external and internal trade in arms and ammunition and submit proposals to the council for a central international office to handle the question.

He reminded the council that under article 213 of the treaty Germany had undertaken to give every facility for any investigation which the council by majority action considered necessary in effecting the military regulations of the treaty.

He suggested, first, that the commission on military, naval, and air questions consist of national representatives responsible to their respective governments and general staffs; that constituted in this manner the commission would be a living organization, qualified, on the one hand, to prepare the way for the decisions of the council without giving offense to the governments concerned, and, on the other, to prepare the way for the decisions of those governments in accordance with the spirit of the league; second, that the commission be permanent, its members not to be too numerous, but all the member nations of the council to be represented

pending the final decision of the assembly; third, that other nations be allowed representation when questions of direct interest to them were under discussion; fourth, that as to the number in each delegation, it should be remembered that each delegation must be capable of dealing with naval, military, or air problems alike, that three separate sections therefore should be set up in the commission, that each nation should be entitled to three delegates at most, one for each section, the voting power to remain the same regardless of numbers; fifth, that the secretariat of the armaments commission should be organized by the secretary general of the league. Resolutions embodying these suggestions were carried.

INTERNATIONAL FINANCIAL CONFERENCE.

A report on the international financial conference was submitted by Representative Bourgeois.

He said that it had been decided, first, that the conference be held at Brussells about the middle of May; second, that the following countries be invited to send delegates: Argentina, Australia, Belgium, Brazil, Canada, Chile, Czechoslovakia, Denmark, France, Greece, Holland, India, Italy, Japan, New Zealand, Norway, Poland, Portugal, Rumania, Serb-Croat-Slovene State, South Africa, Spain, Sweden, Switzerland, United Kingdom; third, that the other States members of the league be invited to send as soon as possible any recommendations they might wish to submit to the conference; fourth, that the Government of the United States of America be informed of the step taken by the council of the league and be invited to send representatives to the conference or to take part in the work; fifth, that States not included in the above list might be invited to communicate to the conference all relevant information regarding their financial and economic situation and that the council decide the conditions under which these countries might be heard by the conference; sixth, that letters of invitation in accordance with these suggestions had been issued.

THE RUSSIAN INQUIRY.

Representative Destree, Belgium, then presented a report on the commission of inquiry into Russia. He referred to a former decision of the council to send such a commission to Russia to obtain information as to the internal situation, stating that it was the council's desire to have the inquiry conducted with impartiality and without prejudice, that it might have served as a basis for a just estimate of Russian conditions, that without questioning the right of the Russian people to any form of government they might select it might have led to the resumption of economic relations which were as important to Russia as to the rest of the world. He said that on March 17 a telegram was sent to the soviet authorities stating that the council, having been asked to examine the possibility of sending a commission to Russia, had decided to send an impartial and reliable commission, asking whether the soviet authorities were prepared to give the commission the right of free entry and return, to insure its liberty of movement, communication and investigation, to guarantee the immunity and dignity of its members and the inviolability of their correspondence, archives, and effects, stating further that the commission would begin its work as soon as these facilities and rights were formally assured.

The speaker stated that on May 14 a reply was received in the shape of a cablegram containing a resolution adopted by the central executive committee of the soviets of Russia on May 7. The resolution stated that the committee welcomed any sign showing that the Governments which to that time had made war on soviet Russia and which had tried to separate it from the other countries by cordons and barbed wire now realized the uselessness of attempts to strangle the Russian people; that the decision of the league to send a commission was a sign that some of the powers belonging to the league had renounced a policy of strife against the Russian people, but that at the same time the committee took notice that the Polish Government, a member of the league, had made war on the Russian people before deigning to negotiate on neutral or allied territory, and had tried to seize territories of Russia or soviet Ukrainia without opposition from the league and with the active support of certain member nations which had invariably supported all movements of the deposed class of exploiters against the soviet power. The resolution recited further that the soviet government had hoped to have the blockade against Russia lifted, was keenly interested in having all nations know the internal situation, that it would therefore admit to Russia all press representatives guaranteeing not to abuse Russian hospitality, and would also admit as guests of the Russian professional unions the delegation of the English Congress of Trade Unions, who would have full liberty to study Russian conditions. The resolution went on to state that with these principles as a basis the committee consented in principle to the visit of the delegation of the League of Nations and would accord them the same liberty for studying the situation as was enjoyed by representatives of other powers within the boundaries of a sovereign State, but considered it evident that the League of Nations, which professed to watch over not only the integrity of international law but also over all principles regulating relations between civilized nations, should not send to Russia as representatives or experts persons associated with plots against the Russian Government. The resolution stated further that since certain league members were actively supporting Poland, which was at war with Russia, the committee, for military reasons, would not admit at that time representatives of nations which had in fact renounced neutrality in the war on Russia; that the committee was convinced the red army would soon prove to Poland the necessity of peace, thus ending the state of war; that the committee had designated a commission composed of Comrades Kamenoff, Lutovinoff, and Kourski, which, together with the people's commissary for foreign affairs, would have the right to authorize, when the proper moment arrived, the entry into Russia of the League of Nations without the necessity for a further convocation of the committee.

Representative Destree proposed that a reply be sent the soviet authorities stating that the council regretted that after long delay the soviet government had exacted conditions amounting practically to refusal, had endeavored to differentiate between the States whose representatives could be sent, whereas the league was a single international organ for the establishment of justice and peace, its delegates representing no particular State but the league itself, that the league still hoped the soviet government

would modify its reply, but if it could not accept before June 15 the terms of the request of March 17 the council would lay on the soviet government entire responsibility for defeating a step prompted solely by a desire to improve international relations and the world's economic situation. The reply was authorized by the council.

TECHNICAL ORGANIZATIONS.

The council next adopted a resolution by Representative de Leon, of Spain, on the relations between technical organizations and the council and assembly of the league. It stated that the technical organizations of the league then in process of formation were established to facilitate the work of assembly and council by setting up technical sections, on the one hand, and, on the other, to assist the member nations by establishing direct contact between their technical representatives in the various spheres—that with this double object these organizations must keep enough independence and flexibility to make them useful to member nations and yet must remain sufficiently under control of the league to keep their proposals in conformity with the principles and spirit of the covenant. The resolution set up two principles of action—first, that the interior working of the various organizations should be independent, they to prepare their own agenda and communicate it to the council before discussion should occur; second, that their relations with the States members of the league should be under control. Before any communication of results or proposals of technical organizations was made to member States, and before they took any action regarding member States, the council must be immediately informed in order that it might exercise its power of control if necessary. In such case the council might decide that the communication or action in question should be postponed, and request the organization concerned to withdraw the question from its agenda or submit it for further consideration. The resolution provided further that the technical organization might request that the decision of the council be discussed at the next meeting of the assembly. The assembly was to be informed of all questions dealt with by the council in the exercise of its power of control, the information to be transmitted by the council on its own initiative, or on the proposal of any one of its members, or at the request of one of the technical organizations.

COMMUNICATIONS AND TRANSIT.

The council then approved a report by Representative de Leon on the subject of communications and transit.

In presenting this report, Representative de Leon referred to the invitation extended by the council at its London meeting on February 13 to the Commission of Inquiry on Freedom of Communications and Transit to present plans for a permanent organization within the League of Nations and under the council's supervision to deal with the subject of communication and transit, and the duties in this connection vested in the league by the covenant and the various peace treaties. He said the commission had completed its work and forwarded its report to the secretary general. He suggested that an interval of about five months should elapse between the date of the invitations to the general conference recommended by the commission and the

meeting of the conference in order to give time for study of documents relating to subjects on the agenda, that with this reservation the conference should be held as soon as possible, and that the attendance should be as nearly universal as possible. He moved the adoption of the following resolution, subject to approval by the assembly:

I. That the members of the league be invited to send special representatives to a general conference on freedom of communication and transit, the conference to establish rules to guide the league in fulfilling the duties assigned it by the covenant and the peace treaties in connection with these subjects; to decide whether the rules should take the form of draft conventions to be ratified by the members of the league, or of recommendations for action by the various Governments, or of draft resolutions to be adopted by the assembly; and to make provision for future meetings subject to league approval.

II. That the conference be invited to organize a permanent communication committee as a consulting and technical body to devise measures assuring freedom of inland communication and transit, and to assist the league in carrying out the duties assigned in connection with this subject by the covenant and peace treaties; that this committee or commission should consist of members designated by the permanent members of the council, each member having one delegate, and of eight more delegates designated by the league members in the manner provided by the conference; that this committee should prepare the agenda of the conference, investigate disputes referred to the league under the covenant and peace treaties on communication and transit matters, effect settlement whenever possible, and where such disputes are brought before the permanent court of international justice assist the court.

III. That the secretary general render all possible assistance to the conference and the committee, collaborate with the existing commission of inquiry on freedom of communication and transit in arranging for the first meeting of the conference, and name members of the secretariat to act as secretaries to the conference and permanent committee;

IV. That the general expenses of the conference and the committee, as well as the traveling expenses and visiting expenses of the members of the committee, excluding members of the conference, be paid from the general funds of the league.

REGISTRATION AND PUBLICATION OF TREATIES.

Next the council adopted a memorandum proposed by the secretary general on the registration and publication of treaties.

The memorandum contained 13 paragraphs, which may be summarized as follows:

1. Article 18 of the covenant established an important innovation in international law by requiring every treaty or international engagement entered into thereafter by any member of the league to be forthwith registered with the secretariat and published by it as soon as possible, no such treaty or engagement to be binding until so registered. Publicity strengthens the administration of both national and international law, awakens public interest, removes causes for distrust and conflict. Publicity alone will enable the league to extend a moral sanction to the contractual obligations of its members and will help to form a distinct system of international law.

2. An extensive interpretation of article 18 is necessary to its application in conformity with the objects of the league.

3. Registration of "every treaty or international engagement" means not only every formal treaty and every international convention, but also any other international engagement or act by which nations or their governments intend to establish legal obligations between themselves and another state, nation, or government, including agreements for revision or prolongation of treaties, and denunciations of treaties or agreements.

4. Treaties and engagements are included which become binding, so far as the acts between the parties inter se are concerned, after January 10, 1920, the date of the coming into force of the covenant. Those that became binding at an earlier date are not included but the secretariat is authorized, if this appear desirable to the contracting parties, to extend the registration so as to include earlier dates.

5. The latest date at which treaties or international engagements should be presented for registration is the date when, so far as the parties inter se are concerned, they receive final binding force and are intended to become operative. They may be registered when the text has been agreed upon and before final ratification, if the parties desire, but the secretary general must make this status clear on the record, and will also make note later of final ratification.

6. Registration is accomplished by depositing a textual and complete copy of a treaty or engagement with all appurtenant declarations, protocols, ratifications, etc., at the treaty registration bureau of the international secretariat, and with an authentic statement that this text represents the full contents of the treaty or engagement. In case of necessity a treaty or engagement may be transmitted to the secretariat by other means—by telegram, for example—so long as it is shown that the text is the one agreed upon.

7. A certificate of registration will be delivered to the parties under signature of the secretary general of the league or his deputy, the certificates to be numbered consecutively.

8. Treaties or engagements may be presented for registration by one party only, either in the name of all the parties at the same time or of that party alone, as long as it is shown that the text is the one agreed upon.

9. Publication of a treaty or engagement registered with the secretariat will be secured automatically and as soon as possible by inclusion in the treaty part of the League of Nations journal. Copies of this journal will be regularly forwarded to the Governments of all States members of the league. The treaty part of the journal will have a special form which may be placed separately in law libraries and private studies, and a separate index of this part will be published at stated intervals.

10. A register will be kept in chronological order, giving the contracting parties, the title, date of signature, ratification, presentation for registration, and register number of all treaties, etc. Actual texts presented will be kept as annex to register.

In addition to the chronological register a second register will be kept forming to some extent an etat civil of all treaties and engagements, for each of which a special page will be set apart as in a ledger, where all data will be noted, including not only signatures and ratifications but later adhesions, denunciations, notes relative to preparatory matter, discussions, internal legislation arising out of treaties, etc.

The Secretary may furnish certified copies of all matters registered to States, courts, or persons interested, but assumes no legal liability for contents. An index convenient for consultation will be made to the collection of treaties and engagements.

11. The registers will include a special series of those treaties and engagements which by some special provision or with some special object in view are placed under the care of the secretary general, e. g., the draft labor conventions and labor recommendations required to be so placed by article 405, treaty of Versailles, and similar enactments by analogous organizations.

12. Not only treaties, etc., between members must be registered but those between a member and a State not yet a member.

13. The secretary general proposes that treaties, etc., between States none of which are members may be registered if the parties so desire. This would tend to make complete the registration and the public collection of treaties.

APRIL REPORT, SAAR GOVERNING COMMISSION.

The official journal of the secretary general showed that on May 1 the governing commission for the Saar Basin made its report for April. The report stated that during April many important questions of legislative, administrative, and financial character had to be examined and settled; that public peace had not been disturbed nor work interrupted, although striking metal workers, miners, and railway employees in the adjacent territory of Lorraine had exhorted workers in the Saar Basin to follow their example; that the governing commission rejoiced over its maintenance of peace and order for three months amidst troubled neighbors in loyal fulfillment of its mandate from the league.

PUBLIC MEETING, SIXTH SESSION, LONDON, JUNE 16, 1920.

The presiding officer, Lord Curzon, welcomed the representatives in the name of the British Government to the public meeting of the sixth session. He said that the council had held two private meetings at which the following questions had been discussed: (1) Appeal from Persian Government to league; (2) commission of inquiry to Russia; (3) committee on permanent court of international justice; (4) repatriation of prisoners of war.

THE PERSIA-SOVIET CONTROVERSY.

He then invited Prince Firouz to a seat at the council table as the representative of Persia during the consideration of the Persian appeal. Then, reporting the results of the discussion of the Persian question by the council, he said this was the first appeal to the league under articles 10 and 11 of the covenant.

He then recited the circumstances giving rise to this first appeal under articles 10 and 11 of the covenant of the League of Nations. On May 19, 1920, Prince Firouz, minister for foreign affairs of Persia, addressed a letter to the secretary general of the league, stating that on the morning of May 18 at 8 o'clock 13 bolshevik vessels had opened fire on Engeli at a range of about 2 kilometers; that several shells had struck the customhouse premises; that sloops had been sent under a flag of truce to ask for an explanation; that the bolshevik admiral said that he had been intrusted by the Moscow Government with the policing of the Caspian Sea; and that as he considered the ships and naval forces of Gen. Denikin, which had taken refuge at Engeli, a source of danger to the Caspian Sea, he had undertaken the bombardment on his own initiative. The letter stated further that the admiral finally demanded the surrender of Denikin's vessels and a temporary occupation of the port of Engeli pending negotiations between the soviet government and the English Government, and that the Persian Government had replied that it protested against the bombardment of a neutral port undertaken without any provocation or act of aggression on the part of Persia and without warning; that Denikin's naval forces, which took refuge at Engeli, a neutral port, had been disarmed and interned in accordance with international law, but that nevertheless the Persian Government was prepared to negotiate with the bolshevik forces on the subject; that the Persian Government could not permit any form of occupation of Engeli.

The letter then stated that the writer in bringing these facts to the notice of the league had the honor to make formal protest against these unjustifiable acts of aggression, and in accordance with article 11 of the covenant of the League of Nations begged to call the attention of the council to the very serious situation in which Persia was placed by these events which threatened to disturb the peace of the Middle East. The writer asked that these matters be brought to the attention of the league, expressing the hope that the members would cooperate to take the steps required by the situation.

On May 29 Prince Firouz addressed another note to the secretary general asking what action had been taken on the request made in the name of the Persian Government, stating that the

soviet troops had not yet evacuated Persian territory, despite the assurances by the officer commanding the red fleet. The writer stated that news had been received of a probable bolshevik advance against the northeastern frontier of Persia; that after he had appealed to the league under article 11 of the covenant he had hoped a special meeting of the council would be promptly summoned to consider the situation and take the necessary steps; that he learned, however, from the secretary's answer of May 26 that he had not done more than send a copy of his letter to the members of the league; that in order to remove any uncertainty the secretary might feel as to the intentions of the Persian Government the writer asked the secretary to cause a meeting of the council to be held in order that the matter mentioned in the letter of May 19 might receive proper attention without delay. Again on May 31 Prince Firouz sent a note to the secretary stating that the request of his Government for a special meeting of the council was based on the first paragraph of article 11 of the league covenant.

President Curzon then referred to the negotiations at that time in progress between the Persian Government and the government of the soviets, of which the council had received full information from Prince Firouz, stating that the correspondence had culminated in a telegram sent the soviet government by Prince Firouz on June 12, that this telegram had not yet been answered, and that the council had decided to await the outcome of the negotiations before taking further action. Lord Curzon then presented a resolution on the situation, which was adopted by a unanimous vote, including that of the Persian representative, Prince Firouz. The resolution had previously been shown him and approved by him on behalf of his Government. Prince Firouz addressed the council, stating that he accepted the resolution and thanking the council for its sympathetic consideration of the appeal he had made in behalf of his country.

The resolution stated that the council had met in London on June 16 for the purpose of considering the appeal under articles 10 and 11 of the covenant by the Persian Government to the league on account of acts of aggression committed by the soviet forces against Persian territory, and had heard the report of His Highness Prince Firouz, Persian minister of foreign affairs, sitting as a member of the council. The resolution proceeded in the following tenor:

Whereas Prince Firouz has informed the council of the communications recently exchanged between his Government and the soviet authorities, and has stated the conditions which were presented to the soviet authorities by the Persian Government in particular on 12th of June after receipt of a radio from the soviet; and

Whereas the fulfillment of these conditions would restore the territorial integrity of Persia, the respect for and preservation of which are guaranteed by the members of the league by article 10 of the covenant, and would in this respect give satisfaction to the legitimate requirements of the Persian Government; and

Whereas according to declarations made by them on several occasions and through various channels the soviet authorities have already ordered the evacuation of Persian territory and have asserted their peaceful intention toward Persia:

The council considers that the Persian Government has acted in the best interests of peace, and that it has rightly appealed to the fundamental principle of cooperation laid down in the covenant in asking the League of Nations to declare its willingness to maintain the territorial integrity of Persia in accordance with article 10 of the covenant.

The council decides that before advising upon the means by which the obligations prescribed by the covenant shall be fulfilled it is desirable in order to give every opportunity for the success of the conversations now in progress to await the result of the promises made by the soviet authorities. In the meantime the council requests the Persian representative to keep it informed of the march of events through the secretary general of the League of Nations.

COMMISSION OF INQUIRY TO RUSSIA.

Next, Representative de Fleurian, of France, read a report on the commission of inquiry to Russia, which was adopted. The report stated that the council at its Rome session on May 19 had decided to allow the soviet government until the 15th of June to reply on the question of admitting the commission; that on May 26 the following answer was received from Moscow:

The Russian Soviet Government has carefully considered your radio telegram of to-day's date and is struck by the character of absolute solidarity attributed by you to the League of Nations in view of the fact that the delegates of the different States which form it do not, according to you, represent the States, but represent the league itself. It is even more to be regretted that the league which, as you assert, has as its aim the establishment of justice and peace has allowed full liberty to one of its members, namely, Poland, to become the disturber of peace by her aggression against Russia and the Ukraine, and the violator of justice by her attempt to transform the Ukraine into a vassal and oppressed country.

The Soviet Government can not pass over in silence that attitude of the members of the league who are helping Poland by sending war material and instructors, the direct support given at the same time to the white guards of Wrangel in Crimea. The most elementary demands of the security of the Republic make it (admission of commission of inquiry) impossible under these conditions until such time as the military situation created by the Polish offensive has changed sufficiently for considerations of security at the moment imposed on the Soviet Government to lose their present significance.

The report stated that this was a practical refusal and that the council, which had been guided in the matter solely by high principles of peace and humanity, could do no more than note the declination and leave the entire responsibility with the Soviet Government.

PERMANENT COURT OF INTERNATIONAL JUSTICE.

The secretary general then presented a report on the committee of international jurists, submitting nominations to fill vacancies. He presented the names of Hagerup, of Norway, and Ricci-Busatti, of Italy.

The council approved the nominations and invited M. Bourgeois to represent it at the opening meeting of the committee, to be held at the Peace Palace at The Hague on Wednesday, June 16, for the purpose of preparing a plan for the permanent court of international justice and to welcome the committee in the name of the council.

REPATRIATION OF WAR PRISONERS.

President Curzon then announced that Dr. Nansen would present a report on the repatriation of war prisoners, emphasizing the difficulties of the problem and lauding the services of Dr. Nansen to the League of Nations and to humanity in undertaking the work.

Dr. Nansen stated that since he was requested by the council on April 11 to investigate the matter of repatriating prisoners of war, especially those in Siberia, he had made every effort to carry out the work. He had conferred with representatives of all the Governments mainly concerned, and with members and agents of the international committee of the Red Cross and of

other voluntary organizations. While no exact estimate could be made as to the number of prisoners not yet able to return home, he believed there were still in the territories of the late Russian Empire not less than a quarter million, and that there were not less than that number of Russian and other prisoners in Germany and other European countries; that the number in eastern Siberia was overestimated, the removal of restrictions on their movements by de facto Russian authorities causing them to move about so much that it was not possible to say how many were in any particular place; that it was certain, however, that only a small portion remained in eastern Siberia, while far larger numbers were scattered throughout western Siberia, central and southern Russia.

He said that during the last four or five years the prisoners had suffered greatly, a large number perishing from cold, disease, malnutrition, and other causes; that their material condition was probably better at the moment than for some time theretofore, but that their chief suffering was from mental anguish resulting from loss of touch with home and family; that the bereaved families were also suffering from this separation; that repatriation was not only a matter, therefore, of the highest humanitarian importance but also of great political significance, because it touched the deepest feelings of millions of men, women, and children throughout Russia and central Europe.

Aside from political causes repatriation had been obstructed by three facts: (1) collapse of government and means of communication in many territories where prisoners were in captivity; (2) severance of communication between Russia and the rest of the world; (3) inability of some of the Governments concerned to pay cost of transporting their own citizens. On account of these difficulties no other route than that of sea transport from Vladivostok was proposed for prisoners in Siberia for several months after the armistice. So long and costly was this route that transportation of half a million men to and from Vladivostok was practically impossible. Fortunately Great Britain and the United States would repatriate from Vladivostok before the coming winter all the Czecho-Slovaks and other legionaries in eastern Siberia, and this would leave only about 15,000 prisoners of other nationalities to be taken by this route who, there was good reason to hope, would be moved in the near future.

It was evident, however, that the bulk of the prisoners in Russia could be repatriated with the cooperation of the soviet authorities on the basis of exchange of prisoners in Russia against Russian prisoners in Europe. With the help of the Red Cross and the Governments of Esthonia and Finland an exchange had begun through the port of Narva, and it was expected other ports would be open soon for the same purpose. With necessary shipping and transport facilities at least 60,000 prisoners could be repatriated over these Baltic routes. So far the soviet authorities had furnished better railway facilities than had been anticipated and prisoners were rapidly arriving at Narva. At the speaker's suggestion the Swedish Red Cross had undertaken to help the authorities and the international committee of the Red Cross in caring for the prisoners at Narva.

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The speaker thought he could soon find the necessary shipping and other material requirements for these routes, and to this end had begun negotiations with the international committee for relief credits in Paris for loans to be repaid by the Governments whose subjects were to be returned. Other routes must be secured for prisoners in Turkestan and more remote parts of southern Russia, and secured quickly if the prisoners were to be returned before winter. The speaker said the council could greatly assist by lending its moral support to the efforts being made for the prisoners, and he proposed four resolutions, as follows:

The council of the League of Nations hereby resolves:

(1) That a letter of appreciation and thanks be sent to the Governments of Esthonia and Finland for the facilities offered by them for the repatriation of prisoners.

(2) That a letter be dispatched to all the Governments concerned earnestly requesting them to grant transit, subject to reasonable provisions for disinfection and medical observation, to prisoners of war passing through their countries.

(3) That a letter be dispatched to the Governments represented on the international committee on relief credits urging them to allow the credits furnished by them to the committee to be used for repatriation of prisoners.

(4) That a letter be sent to M. Ador, president of the international committee of the Red Cross, thanking him for the great services already rendered by the committee in the repatriation of prisoners of war and expressing the hope that they will continue their work in cooperation with Dr. Nansen.

The report and resolutions were adopted.

President Curzon then stated that the council had been requested to take up the case of Bulgarian prisoners in Greece and Serbia, and had referred it to Dr. Nansen for inquiry and recommendation.

CONVENING OF ASSEMBLY.

The following telegram was sent to President Wilson asking him to issue a call for the first meeting of the assembly as soon as convenient and practicable:

The council of the League of Nations at its meeting in London has the honor to confirm the telegram dated 19th May, 1920, from Rome asking you to convene the first assembly of the league in accordance with article 5 of the covenant.

The council is anxious that the assembly should meet between the 1st and 15th of November, and as not only considerable initial preparations are necessary but documents and agenda must be circulated to all members as soon as practicable, it trusts that you will find it possible to fix the definite date at your earliest convenience.

MEETING OF THE ADVISORY COMMITTEE OF JURISTS TO PREPARE PLANS FOR PERMANENT COURT OF INTERNATIONAL JUSTICE.

The Official Journal of the League of Nations states that the advisory committee of jurists, appointed by the council of the League of Nations at London February 13 to prepare plans for the Permanent Court of International Justice provided for in article 14 of the covenant, assembled at the Peace Palace at The Hague on June 16.

The journal's review of the proceedings may be summarized as follows:

The committee was welcomed by Mr. van Karnebeek, the Dutch foreign minister. After extending a welcome to the committee in general he said he seized the opportunity to greet, first of all, Mr. Leon Bourgeois, who represented the League of Nations at this gathering, referring to the fact that he had presided over The Hague conferences of 1899 and 1907. The

speaker said that in joining the league the Netherlands intended to aid to the utmost of their ability in realizing the high moral ideas that led to its formation. He referred to the first conference at The Hague, which had been often underrated, but which went, he said, as far as practicable at the time, and created on the proposal of Lord Pauncefote, the British delegate, ingenious machinery designed to facilitate recourse to arbitration—arbitration being recognized at that time by the powers as the most equitable means of adjusting disputes not soluble by diplomatic agencies. He said that since the first meeting at The Hague a movement had developed in behalf of a permanent international court with a purely judicial basis and empowered to settle by rules of law disputes between States; that this movement gained a new inspiration from a remarkable American initiation, with which was associated the well-known names of Elihu Root and James Brown Scott, both of whom were now present; that this movement took form at the second Hague conference in 1907, and would have finally succeeded could an agreement have been reached on the method of choosing judges and the constitution of the court; that later the fate of the prize court proved too strong for the efforts by certain powers in 1910 to complete the work begun by the conference of 1907.

The speaker stated that the onward march of ideas could not be arrested; that the League of Nations took up the thread which for a long time seemed lost, and intrusted to this committee the completion of the sacred work; that the grandeur of the task was apparent when above the conflicting interests and passions of mankind was seen the guiding star of a noble idea of a future governed by justice; that this work of justice now to be undertaken by the committee appeared like a resurrection in a world which had passed through one of the greatest trials of history, in an international society shaken at its foundation and almost at the end of its resources; that it was like a promise of moral reconstruction, like the message of a better future worthy of the League of Nations.

The speaker quoted the following words uttered in the past by Bourgeois: "The obligation of settling international conflicts by peaceful means is the first law of mankind," and said that it was to this ideal that the Peace Palace at The Hague where the committee was assembled was consecrated.

Mr. Bourgeois then addressed the committee, pronouncing it a great honor to have been delegated by the council of the League of Nations to open this meeting. He welcomed the delegates by name, saying that he particularly welcomed Mr. Root, a great jurist and an eminent American statesman, whose presence meant that the Old World and the New had been blended into one. He spoke of the fittingness of the selection of The Hague for this meeting, alluding to the peace conferences of 1899 and 1907, which had given for the first time concrete form to the principle of international justice in a series of international acts countersigned by the representatives of 40 nations, mentioning as practical results the arbitrations which in the affairs of the Dogger Bank, of Casablanca, of the Carthage, and the Manout had kept several countries out of war. He said it required, however, the horrors of the last World War to give

sufficient emphasis to the truth that the foundations of peace could not rest in conflicts of force. Peace was simply the stable existence of right. He said he came in the name of the council of the League of Nations, which had been charged by article 14 of the covenant with the organization of international justice; that a memorandum by the secretary general of the league had set out the principal questions the committee would be called on to solve. He said that the proposed court must be a permanent one; that it was not simply a matter of arbitrators chosen on a particular occasion by interested parties, but a court composed of a small number of judges sitting constantly and receiving a mandate, the duration of which would make possible a real jurisprudence on which public law could be built up, a judgment seat raised in the midst of the nations where judges are always present, to whom the weak and oppressed nations could always appeal, the judges to be chosen not by reason of the State of which they were citizens but by reason of their personal reputation, their past career, of the world-wide respect attaching to their names, and thus representing the genuine international spirit which was by no means, as some people suppose, the negation of the legitimate interests of each nation, but the safeguard of such interests.

He again asserted that the proposed court was to be not a court of arbitration but a court of justice. The court of arbitration already set up by the previous Hague conference would not cease to function in cases to which it was intended to apply. It had a special character, however, and its range of action was already determined. There was an essential difference between a sentence in arbitration and the decree of a tribunal, a difference as profound as that between equity and justice. Arbitration may take into account a thousand elements of fact, a thousand contingencies, and even political necessities.

The decrees of justice take into account only a rule defined and fixed by law. In every State the domain of justice extends step by step, prescribing rights and obligations attaching to human relationships, and the independence of judicial authority becomes more and more an essential safeguard of liberty and order. The same process should apply to relationships between States. They have now uncertain and badly defined relationships and modes of contact, the laws affecting which are equally uncertain and badly defined, as was the case between citizens in primitive ages. The object of the League of Nations is to give men complete definition of the largest possible number of relationships between States, of the rights and obligations pertaining thereto, and thus give wider sway to the supreme power of justice.

He said there were certain eminent jurists who favored the court of justice but who believed the organization of the League of Nations should be postponed. He added that it was the belief of the council of the league that the league and the court were complementary of each other, that of necessity they were organized at the same time and would be unable, as long as they wished to preserve their existence, to live apart. He supported the council's view, referring to the league as the creator of the functions, principles, and organs which the court would interpret and conserve, as well as the sanctions

which would give the court's proceedings and decrees the necessary efficacy and authority.

He then discussed the development of organized justice within nations. Justice, he said, necessarily followed the organization of life itself. Within a given country the courts can not properly function until laws have determined relations between individuals, fixing rights and obligations, and providing the representatives of law with the means of reaching the facts with the law and repressing violations of the law. Life precedes law, and so long as it remains unorganized, with the functioning of its different forms of activity, political, social, or economic, undetermined, equity can be exercised between conflicting forces and tendencies, but the true law of action can not be invoked. The same situation obtains as between States. International life is developing with remarkable rapidity, and the political, economic, financial, and social interdependence of nations is being felt throughout the world. The council of the league is creating organs of international life, such as organizations relating to universal statistics, international labor, hygiene, freedom of transit, etc. He referred to the financial conference which was to lay the foundations of international credit. The international judicial organization would assure the proper functioning of these other organizations, which was essential to its task of guaranteeing respect for the rights and execution of obligations between nations.

A strong organization of international institutions was needed to aid the court in the execution of its decisions. For this execution the covenant foresaw several degrees of sanction—juridicial, diplomatic, economic, and as a last resort and within limits very closely defined, military sanction. Recourse to the military sanction was not to be desired but tendencies toward violence would persist a long time, and it would still be necessary to oppose the force of right to the force of violence for a long time.

He referred to the provisions in article 9 of the league for a permanent commission to advise the council on the execution of the armament features of articles 1 and 8, and on military, naval, and air questions generally, stating that the council at its Rome session had outlined the work of this commission and it could now proceed.

Gradually, he said, the cycle of international life will be completed, the various international organizations essential thereto will begin to function, precise obligations on the parts of States will be developed and defined, the fabric of international law will be woven together, and judicial conditions applicable to all will provide an abundant field of operation for the permanent court.

He said he wished to show what a large place the council believed the proposed court must take in the international organization of the world; that the council thought it should be armed with the highest moral power and organized for as deep penetration as possible into international relations; that the council would assure, as far as possible, the extent of its competence and the execution of its judgment; that because of the council's confidence in its beneficent action there must be

established between the general powers of the council and the assembly and the special powers of the court the closest solidarity and profoundest harmony.

Mr. Bourgeois said in conclusion that the committee was about to give life to the judicial power of humanity; that philosophers and historians had told of the laws of growth and decadence of empires; that the council looked to the committee for laws assuring the perpetuity of the only empire which could not decay, the empire of justice, which was the expression of eternal truth.

Baron Descamps, president of the committee, replied to these two addresses. He said that the committee's first duty was to ascertain the present state of international law; that three peace conferences, the first two at The Hague and the third at Paris, had dealt with the organization of international justice; that it was important to define what each of these had done.

The honor of having created for the first time an international court of justice based on arbitration belonged to The Hague peace conference of 1899. The report laid before that conference stated that a permanent court of arbitration answered the deepest aspirations of civilized nations, the advance made in relations between States, the modern development of international disputes, the need urging the nations to make justice more accessible and peace less precarious, and would help to establish a strong sense of justice in the world.

That court was organized as follows: First, each signatory power appointed an equal number of arbitrators entered in a general list of members of the court; second, free choice was permitted from this list for arbitrators to form a court for each arbitration case; third, an international office was established at The Hague to serve as registry to the court and provide for administrative services; fourth, a permanent executive council was created to exercise supreme control composed of the diplomatic representatives of the powers accredited to The Hague with the Dutch minister for foreign affairs as president.

The convention creating the court, after dealing with the matters of "good offices," mediation, and commissions of inquiry, defined arbitration in article 15 as the settlement of disputes between States by judges of their own choice, and, on the basis of the respect of right, and in article 16, defined the character of questions within the competence of arbitration. Each signatory State was to decide whether a case should be submitted to arbitration, unless limited by treaty obligations, and reserved the right to conclude new treaties covering cases to be submitted to arbitration under the convention. Many arbitral conventions between States had since resulted.

The convention provided by article 21 that the arbitration court should have jurisdiction in all cases of arbitration except where the parties agree to establish a special jurisdiction.

Prior to this 1899 conference there was no general arbitration procedure. A draft scheme for the purpose had been devised by the institute of international law, had been supplemented by other works of eminent legal authorities, and had been followed in numerous cases. The 1899 conference devised a code of procedure in arbitration, containing govern-

ing principles and intended to serve as a standard manual, to fill the gaps of compromises, to furnish rules which the parties could overrule and modify, but which would be of value when the Governments did not make other arrangements.

Such was a broad outline of the work of the 1899 peace conference at The Hague, a work imperfect but nevertheless remarkable.

Complaint had been made as to the small amount of litigation submitted to this court, about 20 cases having been referred to it altogether. This was due in part to the newness of the institution, the lack of response on the part of governments, and the lack of the guaranties of a permanent, completely organized tribunal. Manifestly an international tribunal could not have the same features and powers of an internal court. The subject matter was different, the individual interest being subordinated in nations to the sovereign government, while in the international community the sovereign governments enjoy equal rights. However, it was possible to create a more satisfactory and effective tribunal than the first Hague court, and this was one of the questions taken up by the second Hague conference, that of 1907.

This second conference revised in many respects the convention adopted by the first for the peaceful settlement of disputes, devised new regulations governing commissions of inquiry and summary arbitration procedure, and prepared a "draft convention for the institution of a court of arbitration" to act "side by side" with the existing court, and intended by its principal advocates to supplant the existing court at an early date. The project failed because the principle of equality of States could not be harmonized with the appointment of a limited number of judges. The conference could reach no agreement on the point and passed a resolution recommending to the signatory powers the adoption of the draft convention for a new court of arbitral justice and its coming into force as soon as an agreement could be reached as to the choice of the judges and the constitution of the court. The project ended there.

On the question of compulsory arbitration the second peace conference was not much more successful. After trying to agree in the matter of a world-wide treaty of arbitration, either without exceptions or recognizing exceptions but indicating certain kinds of disputes in which arbitration would always be obligatory, the conference ended by stating the points on which it had agreed, announcing that it was unanimous (1) in recognizing the principle of obligatory arbitration, (2) in declaring that certain disputes, notably those relative to the interpretation and application of international treaty stipulations, are susceptible of unrestricted submission to obligatory arbitration.

Such was the stage which the organization of international justice had reached when the Paris peace conference of 1919, after the close of an unprecedented war, turned its attention to the need of organized institutions for the world's justice, and embodied its ideas in article 14 of the league covenant.

The speaker called attention to the fact that the league covenant made a distinction between disputes which are and those which are not submissible to arbitration, all members agreeing by article 12 in the event of a dispute which might lead to rup-

ture to submit the controversy either to arbitration or to inquiry by the council, that furthermore the members by article 13 agree to submit to arbitration only those questions which the members think should be so settled, declaring disputes as to interpretation of a treaty, as to any question of international law, as to the reality of any fact which if established would constitute a breach of an international engagement, or as to the extent or nature of the reparation due for such a breach to be generally suitable for arbitration. The list of cases declared to be generally suitable for arbitration was identical, the speaker said, with the list mentioned in a letter from Mr. Root to the president (chairman) of the Republican national committee on March 29, 1919, the significance of the two lists being fundamentally different owing to the fact that Mr. Root omitted the word "generally."

It will be observed that Mr. Root went further than the league in the advocacy of powers for the permanent court, one of the principal organs of the League of Nations.

The committee continued its labors until July 24, when it held its official closing season.

Baron Descamps reviewed the work of the committee in an address. He said that the committee had begun its efforts with long exchanges of views, all of which were subjected to severest examination; that while the result was not perfect the committee believed they had formed a general system of international justice which would be a fruitful and happy one. The committee had not locked itself up in a secret chamber inaccessible to the ordinary man, but had been glad to keep the general public in touch with its discussions. While the text of the 62 articles forming the project would be reserved for those from whom the authority for this committee flows, the speaker would give a résumé of its labors.

Three great problems were considered:

First, that of the organization of the Court of International Justice, a court which was to be truly permanent, directly accessible to the parties, composed of independent magistrates, chosen without regard to nationality among persons held in highest moral esteem, possessed of qualifications required in their respective countries for highest judicial positions or being jurists well known for competence in international law. Following the system of the present Hague Court of Arbitration, the nations participating in the establishment of the Permanent Court of International Justice would proceed by national groups to the nomination of a restricted number of persons capable of serving as members of the court, each national group to consult, in order to arrive at the best choice, the highest court of justice in the respective countries, the faculties and schools of law, the national academies, and the national sections of international academies devoted to the study of law; two names to be chosen by each national group regardless of nationality, the final choice to be made by the assembly and council of the League of Nations in such manner that the choice must be made by joint action. Provision had been adopted for representation of the great divisions of civilization and the principal judicial systems so as to give the court a truly world-wide constitution and for modes of action where assembly and council were not in accord. Provi-

sion was also made for the annual formation of a chamber of three judges called to sit in cases of summary procedure when demanded by the parties.

Second, the question of the competence of the court. Here two objects were in view—one a system of obligatory adjudication in differences of judicial nature and in those covered by general or special conventions of the parties, the declarations of the second peace conference at The Hague serving as a basis of action; the other, rules of judicial interpretation to be followed by the judges in cases submitted to them.

Third, the matter of procedure, which the committee believed had been satisfactorily handled.

In addition to the creation of the permanent court, the committee recommended the methodical continuation of the work undertaken by the first two Hague conferences for the advancement of international law, the creation of a High Court of International Justice to judge future crimes against public international order and international law, and the early functioning of the academy of international law at The Hague.

Mr. van Karnebeek, the Dutch minister of foreign affairs, delivered the closing speech. He referred to the communiques issued by the committee regularly, indicating its progress and keeping an appreciative public in touch with its work, and congratulated the committee on the unanimous results of its labors. He expressed appreciation of the honor the committee had shown The Hague by recommending it as the seat of the Permanent Court of International Justice.

THE INTERNATIONAL FINANCIAL CONFERENCE.

The Official Journal of the league shows that on June 25, 1920, Mr. Bourgeois, representative of France on the council of the League of Nations, addressed a letter to the president of the supreme council of the allied powers stating that the league council was convinced that negotiations for the economic and financial reconstruction of the world could not be pursued until the obligations of Germany and her allies and the financial position of the Central Empires were clearly defined; that unless these were first determined the Brussels conference would have its difficulties multiplied and might accomplish no result; that the league council hoped the discussions now taking place and those to be held at Spa on the 6th of July would make a speedy and definite settlement possible; that the council had fixed the date of the Brussels conference for July 23; that inasmuch as the financial situation of the world was to be discussed, it would be necessary to invite Germany to attend; that the form of the invitation to be sent her and the conditions of her representation would not be decided until after the Spa meeting; that the league council hoped the supreme council of the Allies would then be in position to notify the league council of the decisions reached.

PUBLIC MEETING, SEVENTH SESSION, LONDON, JULY 11—AALAND ISLANDS.

President Balfour, chosen as presiding officer under the council's rule assigning the position for each session to the country wherein the session was held, opened the public meeting of the seventh session by saying that the council had examined during the past few days the case of the Aaland Islands, which had

been brought to its attention by Great Britain exercising its friendly right under article 11 of the covenant as a circumstance affecting international relations and threatening to disturb the good understanding between nations on which peace depends. During the consideration of the case Sweden, a member of the league but not of the council, whose interests were specially affected, had been represented by Mr. Branting, sitting as a member of the council. Finland was not a member of the league, but had an application pending for action by the assembly. The council voted unanimously, including the Swedish representative, that Finland should be represented during the deliberations in a position similar to that of Sweden. Mr. Enckell was seated as representative of Finland. Both Sweden and Finland through their representatives made written statements, supplemented by verbal explanations and other documents. The council ordered these written statements to be published.

The Swedish representative asked that the inhabitants of the Aaland Islands be heard, and to this the Finnish representative consented, provided no prejudice was caused thereby to the Finnish contention.

The council heard two inhabitants of the Aaland Islands.

The council decided to deal with the case under paragraph 4, article 4, of the covenant as a matter affecting the peace of the world, the principles of articles 15, 17, and 12 to be kept in view also.

The principal claim of Sweden was that the Aaland Islands population should be allowed to determine immediately by plebiscite whether the archipelago should remain under Finnish sovereignty or be incorporated with the Kingdom of Sweden, the Swedish representative assuring the council that Sweden had no desire of annexation but wished solely to support the demands of the inhabitants, and calling attention to criminal prosecutions by Finnish authorities against two leaders of the Aaland population and the recent dispatch of Finnish troops to the islands; all of which he said tended to disturb the good understanding between the two nations.

Finland argued that the Republic of Finland was an independent and sovereign country, its independence having been recognized by several powers, including Sweden, that the Aaland Islands formed part of the republic and had been granted local autonomy by the Finnish Legislature, that Finland desired to live in good relations with Sweden, that the Swedish demands related to matters by international law solely within the domestic jurisdiction of Finland and affected her sovereign rights.

The Swedish representative replied that the recognition of Finnish independence by Sweden on January 4, 1918, did not include frontiers, but was given solely to secure that independence, that the question was not solely within Finland's domestic jurisdiction, but even if it did originate from internal circumstances, which he denied, might have external consequences and thereby become of international character.

Both parties agreed that all international military, naval, and air obligations concerning the Aaland Islands should be maintained, the Swedish representative adding that a further neutralization might be effected.

The council held that the first question was whether the matter was by international law solely within the domestic jurisdiction of Finland. This question would have been placed before the permanent court of international justice had it been in existence. Desiring a quick solution the council decided to submit the question to a commission of three international jurists, the council reserving further action. The council also decided to ask the commission's opinion on the present status of the international military agreement concerning the Aaland Islands.

A resolution embodying these decisions was unanimously adopted, the Swedish and Finnish representatives adhering.

President Balfour said that in the name of the council he had appealed to the parties to do nothing during the pendency of the case which might aggravate the situation or jeopardize the good understanding between nations. Both parties had given assurances to this end. The Swedish representative expressed the hope that Finland would remove possible causes of friction, such as the imprisonment of the two Aaland Islanders. The Finnish representative reserved the reply of his Government, stating that the matter was in the hands of Finnish courts of justice, which would not allow the political element to enter, and giving formal assurances that Finland desired to live in the best of relations with her western neighbor, Sweden.

The council authorized the president to appoint the commission, charging the secretary general to give it all possible assistance and information, and requested the parties to place their views before the commission through statements to the secretary general within 14 days.

REGISTRATION AND PUBLICATION OF TREATIES.

The official journal of the league shows that on June 9, 1920, the secretary general notified all member Governments that the secretariat was prepared to effect the registration and publication of treaties and other international engagements entered into by the members of the league as prescribed by article 18 of the covenant.

JOINT STATEMENT BY GREAT BRITAIN AND JAPAN.

On July 8, 1920, a joint statement was issued by Great Britain and Japan to the effect that their Governments had concluded that the Anglo-Japanese agreement of July 13, 1911, still existing between the two countries, though in harmony with the spirit of the covenant of the League of Nations, was not entirely consistent with the letter of the covenant, which both Governments earnestly desired to respect; that they accordingly had the honor jointly to inform the league that they recognized the principle that if the said agreement be continued after July 21, 1921, it must be in a form not inconsistent with the covenant.

This statement was formally transmitted to the league through its secretary general on July 8, 1920.

SAAR BASIN GOVERNING COMMISSION.

On June 1, 1920, the Saar Basin Governing Commission made its third regular report, stating that in its efforts to promote the welfare of the inhabitants it had met with disparagement and hostility; that among the inhabitants were many who refused to accept the treaty of peace and the authority of the

League of Nations; that these hostile elements were chiefly among the officials, the teachers, clergy, and higher industrial commercial classes, who had placed their influence at the disposal of Germany and attempted to check all measures of the governing commission to institute in the Saar Basin, in accordance with the treaty of peace, an autonomous administration independent of Berlin.

The report stated that there had been discovered in the territory traces of certain German organizations such as the "Heimatschutz" and the "Saarverein," whose purpose was to oppose by all possible means the execution of the treaty of peace in the plebiscite areas; that these organizations commanded the most widely read local newspapers; that the commission had scrupulously respected the liberty of the press; that nothing had been done to prevent certain journalists from casting suspicion on the commission and misrepresenting its intentions, that these attacks created an unfavorable feeling toward the commission among the people.

The report stated further that in several cases the commission had met with resistance hard to explain; that the housing decree, although it improved the situation, had provoked protests hard to justify; that attempts had been made to discredit both the league and the treaty, to prove that the latter could not be put into force, and to create the impression that the effort to administer the Saar Basin was doomed to fail; that these attacks found daily publication in the newspapers of the territory, especially the most important, the Saarbrucker Zeitung; that this systematic opposition was rendering the confident cooperation of the people difficult.

Mr. FLETCHER. Mr. President, would it interrupt the Senator if I were to ask him a question at this point?

Mr. SHEPPARD. Not at all.

Mr. FLETCHER. The Senator may have stated it; I have not been present during all of his discussion of this matter; but I should like to have him state the number of nations that entered into the league at the beginning and the number of governments now parties to the League of Nations.

Mr. SHEPPARD. Twenty-four nations had formally joined when the league began, and to-day 51 nations are members.

Mr. FLETCHER. And there are other applications for admission pending, are there not, from other nations?

Mr. SHEPPARD. There are other applications pending, although nearly all the nations of the civilized world are now in the league except the United States.

Mr. FLETCHER. It would not seem to be such a failure after all.

Mr. SHEPPARD. The report concluded by stating that the commission felt confident of having observed the treaty, and, regardless of attacks, would endeavor to govern the Saar territory impartially and in accordance with the principles of the League of Nations.

RESOLUTIONS FROM INTERNATIONAL WOMAN SUFFRAGE ALLIANCE.

Resolutions were officially transmitted to the secretariat by a deputation from the International Woman Suffrage Alliance at Sunderland House, London, on July 16, 1920, having been adopted by the eighth congress of this alliance which met at

Geneva June 6–12, 1920. These resolutions contained an indorsement of the league and a request that it call an international conference of women annually to consider their status and welfare.

The resolution on the league was as follows:

The women of 31 nations assembled in congress at Geneva, convinced that in a strong society of nations, based on the principles of right and justice lies the only hope of assuring the future peace of the world, call upon the women of the whole world to direct their will, their intelligence, and their influence toward the development and consolidation of the society of nations on such a basis and to assist it in every possible way in its work of securing peace and good will throughout the world.

RELEASE OF AALAND ISLANDERS FROM PRISON.

On July 20 the secretary general received a letter from the Aaland Islanders who addressed the council on the Aaland Island controversy, thanking the league for securing the release from prison of their compatriots who were under criminal prosecution by the Finnish authorities, stating that their release would not have occurred had not the league taken up the question for settlement.

MEMBERSHIP IN LEAGUE OF NATIONS JULY 30, 1920.

The Official Journal showed the membership of the league to be as follows on July 30, 1920:

I. States members of league through the coming into effect of the treaty of Versailles on January 10, 1920.

1. Belgium, January 10, 1920.
2. Bolivia, January 10, 1920.
3. Brazil, January 10, 1920.
4. British Empire, January 10, 1920.
5. Canada, January 10, 1920.
6. Australia, January 10, 1920.
7. New Zealand, January 10, 1920.
8. South Africa, January 10, 1920.
9. India, January 10, 1920.
10. Czechoslovakia, January 10, 1920.
11. France, January 10, 1920.
12. Guatemala, January 10, 1920.
13. Hedjaz, January 10, 1920.
14. Italy, January 10, 1920.
15. Japan, January 10, 1920.
16. Peru, January 10, 1920.
17. Poland, January 10, 1920.
18. Siam, January 10, 1920.
19. Uruguay, January 10, 1920.

II. States members through subsequent ratification of the treaty of Versailles, with date of deposit of ratification:

20. Serb-Croat-Slovene State, February 10, 1920.
21. Cuba, March 8, 1920.
22. Greece, March 30, 1920.
23. Portugal, April 8, 1920.
24. Haiti, June 30, 1920.
25. Liberia, June 30, 1920.
26. Panama, ratification announced by telegram but not yet deposited.
27. Rumania, ratification announced by telegram but not yet deposited.

III. States members of the league through accession to the covenant under invitation contained in the annex to the covenant in the treaty of Versailles, with date of accession:

28. Argentine Republic, July 18, 1919.
29. Chile, November 4, 1919.
30. Persia, November 21, 1919.
31. Paraguay, December 26, 1919.
32. Spain, January 10, 1920.
33. Colombia, February 16, 1920.
34. Venezuela, March 3, 1920.
35. Norway, March 5, 1920.
36. Denmark, March 8, 1920.

37. Switzerland, March 8, 1920.
38. Netherlands, March 9, 1920.
39. Sweden, March 9, 1920.
40. Salvador, March 10, 1920.

IV. States members of league through coming into effect of treaty of St. Germain on July 16, 1920:

41. China, July 16, 1920.

ANNEX.

V. States which have filed application for membership to be considered at assembly meeting beginning November 15:

1. San Marino, April 23, 1919.
2. Georgia, May 21, 1919.
3. Iceland, July 2, 1919.
4. Luxemburg, February 23, 1920.
5. Ukraine, February 25, 1920.
6. Esthonia, April 8, 1920.
7. Monaco, May 3, 1920.
8. Finland, May 8, 1920.
9. Armenia, May 13, 1920.
10. Latvia, May 14, 1920.
11. Liechenstein, July 23, 1920.

FIRST PUBLIC MEETING; EIGHTH SESSION OF COUNCIL, SAN SEBASTIAN, SPAIN, AUGUST 3, 1920.

INTERNATIONAL UNIVERSITY AND CODE FOR WORK OF INTERNATIONAL CONGRESSES.

At the first public meeting, eighth session of council, held at San Sebastian, Spain, after the presiding officer, Representative de Leon, of Spain, had welcomed the council in behalf of his country, Representative Bourgeois presented a report on the proposal by the Union of International Associations for an International University. The report set forth that the Union of International Associations at Brussels had written the council requesting its patronage for the international university, which it proposed to create and asking the council for a grant of £1,500 toward the publication of a code containing the chief decisions and resolutions of the congresses composing the union.

The report stated that the union comprised 200 international associations, originated either by national associations or individuals, and having various objects, such as technical science, medicine and health, moral sciences, law and administration, economic life, philosophy, literature, the arts, history, education, and so forth. It was the union's task to group these into logical federations, establishing cooperation and coordination among all. With this aim the union had issued important publications, organized numerous meetings, and maintained an exchange of views and ideas on various matters that might form the subject of international understandings. It had been helped by the Belgian Government which not only gave the union its patronage but had placed at its disposal a place of meeting and an annual grant of 20,000 francs. The union intended at its coming September meeting to propose the establishment at Brussels of an international university, which was to have three main divisions, (1) general studies, (2) comparative national studies, (3) the League of Nations, the sessions to be short so that several might take place within the year. Several universities, including those of Paris and Liverpool, had promised aid, and it was planned that at the first meeting, from September 5 to 20, 1920, a series of lectures would be given on the aims and organization of the League of Nations.

The report stated further that the usefulness of the union was recognized; that it had rendered great service to private inter-

national associations; but that the proposed scheme was new and involved certain risks; that it was not known how many universities would participate nor in what way; that it was not known what professors would undertake the various subjects in contemplation; and that it would be premature to grant at this stage the patronage requested. The report proposed, however, an expression of sympathy for the new work, and that the secretariat of the league be authorized to facilitate it in every way within its power.

The code for which the union requested subsidy was to consist of (1) an introduction comprising a brief, general codification; (2) quotation in extenso of the texts of chief decisions and resolutions of the organizations belonging to the union; (3) an index. This code contained data which the league would have had to assemble had not the union undertaken to prepare it, thereby saving the league much time and money. The sum asked for represented less than half the cost of publication, all of which doubtless would have been borne by the union but for the curtailment of its subscriptions by the war, etc. The report recommended that the requested subsidy of £1,500 be granted.

The report was adopted and the subsidy voted.

SAAR BASIN FRONTIER DELIMITATION COMMISSION.

A report on the expenses of the Saar Basin Frontier Delimitation Commission was presented by Representative Scassis, of Greece. He said the president of the Saar Basin governing commission had cited the difficulties growing out of the council's decision that all expenditures connected with delimitation of the territory should be charged to its government, a situation which the president felt the council could remedy, and that the president had asked the council to free the Saar government from payment of the entire expense. The council had expected when it made this decision that the work of delimitation would be quickly completed, without heavy expense, but this was not the case. The delimitation commission had encountered considerable delay and great expense. The ambassador's conference at Paris on July 17, 1920, had advised the commission that only the instructions of the supreme council were binding on it and that delimitation expenses would be divided equally between France and Germany. On July 20 the conference communicated with the league council, expressing the view that the latter's authority was limited to the appointment of the members of the delimitation commission, that the labors of the commission were not to be carried out under the leagues' direction, and that the league council was without power to control the expenditure involved.

The speaker recommended that in view of the burden on the population of the Saar Basin resulting from the council's order as to payment of expense of delimitation and in view of the council having no responsibility with regard to the origin of the funds needed for such expenditure the council adhere merely to the act of appointment and repeal the said order, and proposed the following resolution:

Whereas by article 3 of the resolution concerning the Saar Basin Frontier Commission adopted by the council of the League of Nations, assembled at Paris on January 16, 1920, it was decided that all expenses arising from the delimitation of the territory of the Saar Basin will be charged to the government of that territory; and

Whereas the governing commission of the Saar Basin has drawn the attention of the council to the unforeseen heavy expenses arising from the delimitation in question; and

Whereas the delimitation commission is not under the instructions of the League of Nations, which, therefore, can not exercise any control over the expenses connected with the work of delimitation.

The council of the League of Nations resolves that—

ARTICLE I. Article 3 of the resolution of January 16, 1920, concerning the Saar Basin Frontier Commission is hereby repealed.

ART. II. The secretary general of the League of Nations shall communicate the present resolution to the president of the conference of ambassadors, to the French and German Governments, to the members of the frontier commission of the territory of the Saar Basin, and to the president of the governing commission of the Saar Basin.

The report and resolution were adopted.

ECONOMIC BLOCKADE.

Mr. Tittoni, representative for Italy, then submitted a report on the preparatory measures necessary to make effective article 16 of the covenant. Article 16, he said, dealt with the application of the economic and financial blockade and other measures against a covenant-breaking State.

He added that this article was a weapon intended to safeguard the peace of the world; that the league might have recourse to the blockade and the boycott without other means of constraint, or it might at the same time employ military force; that as soon as the league decided in principle to apply article 16 the measures decided upon should be taken immediately by all the States; that close coordination should exist for this purpose; and that organizations must be established to insure prompt and perfect cooperation.

As to the prevention of nonmember States from trading with the offending State it was clear that member States declaring the blockade had the right to make it effective against all States, but could not force nonmember States to declare the blockade themselves. This question would no longer be important when all States belonged to the league, because that would give a moral authority as the league's principal strength and coercive measures would then constitute an auxiliary support.

The speaker said it was obvious that the means of executing article 16 must be considered in advance; that they would be more effective than if adopted only in the moment of emergency; but that inasmuch as these problems were of supreme general interest for all member States he thought the assembly would be better qualified to deal with them than the council; that he therefore proposed the following:

The council decides to place upon the agenda of the first assembly of the League of Nations the consideration of the necessary measures to insure the application of article 16 of the covenant. With this aim in view it will propose to the assembly that as a preliminary measure an international blockade commission should be appointed under the authority of the first assembly for the purpose of studying the problem and settling the general plan of action, the organization of the more permanent machinery required, and the principles on which it should work.

The council proposes that a committee composed of an equal number of members of the council and of the assembly may be set up to examine the question of the constitution of the international commission and its duties.

The report and proposal were approved.

COMMUNICATIONS AND TRANSIT.

A report on the subject of communications and transit was next presented by Mr. de Leon, representative for Spain, who

offered a resolution inviting the United States to participate in the forthcoming international transit conference, inviting member nations to attend, and directing that the agenda of the meeting and all relevant documents be sent to all recognized Governments.

The report and resolution were approved.

PERMANENT HEALTH ORGANIZATION.

Representative da Cunha, Brazil, then made a report on the permanent health organization, recalling the fact that at the February meeting in London he proposed that a permanent body be formed within the league to whom the council might refer for advice and if necessary for action on questions of international health; and that it was suggested there that the health commission already appointed by the British Government arrange a conference to prepare for submission to the council a scheme for the formation of this permanent body. That conference was called in April, representatives of Great Britain, France, Belgium, United States, Brazil, Italy, and Japan having been invited to attend. Some of the best-known medical experts of these countries, as well as representatives of the League of Red Cross Societies, the International Office of Public Hygiene, and the International Labor Office, were present, and the conference developed the scheme it was summoned to prepare, that scheme being now before the council.

That scheme proposed the formation of an international health office within the league, with the following functions:

(a) To advise the league in matters affecting health.

(b) To bring administrative health authorities in different countries into closer relationship with each other.

(c) To organize means of more rapid interchange of information on matters where immediate precautions against disease may be required—e. g., epidemics—and to simplify matters for acting rapidly on such information where it affects more than one country.

(d) To provide a ready organization for securing necessary international agreements for administrative action in matters of health, and more particularly for examining those subjects which it is proposed to bring before the executive and general committees with a view to the conclusion of international conventions.

(e) In regard to measures for the protection of the worker against sickness, disease, and injury arising out of his employment which falls within the province of the international labor organization, the international health organization will cooperate with and assist the international labor organization, it being understood that the international labor organization will on its side act in consultation with the international health organization in regard to all health matters.

(f) To confer and cooperate with the League of Red Cross Societies.

(g) To advise, when requested, other authorized voluntary organizations in health matters of international concern.

(h) To organize missions in connection with matters of health at the request of the League of Nations.

The speaker then offered the following for adoption:

That the scheme submitted by the international health conference for the establishment of an international health office within the league

(subject to the amendments now embodied in the scheme after due consideration by the council) be adopted; and that the scheme be submitted by the council to the first meeting of the assembly of the League of Nations.

The report and proposal were adopted.

INTERNATIONAL STATISTICS.

The secretary general reported on the subject of the international committee or commission of statisticians, stating that in accordance with the action of the council on May 19, 1920, a commission was being set up.

SECOND PUBLIC MEETING OF COUNCIL'S EIGHTH SESSION, SAN SEBASTIAN, AUGUST 5.

PROGRESS AND SIGNIFICANCE OF LEAGUE.

At the second public meeting, eighth session, the opening speech was delivered by the presiding officer, Señor de Leon, representative of Spain, who said the league had, like all other human institutions, both defenders and detractors; that the latter should consider the extent of the work and the necessity of a long and painful period of organization.

He said that Spain was at the hour of the league's birth among the first to devote herself to its welfare; that the idea of the league was a noble, historical tradition of Spain; that it had been a favored doctrine with many famous Spanish writers; that to speak of international law was to assent by implication to the conception of the league, and that international law had found in Spain some of its greatest exponents; that Grotius, who had been called the creator of international law, mentioned in his monumental work on the law of war and peace several Spanish authors whom he treated as the first authors of that branch of jurisprudence; that Grotius had cited among the historical elements containing the embryo of international law the laws of Toro, the Consulat del Mar, and the Spanish Royal Constitutions; that he omitted the famous code of Alfonso the Wise, which breathed the fundamental principles of the law of nations; that Wheaton, Barthelemy, and other leading historians of international law cited among its founders four Spanish publicists—the Dominican, Francisco Victoria, professor of the University of Salamanca; the theologian, Domingo Soto, of the same university; Francisco Suarez, professor of the University of Alcala; and Baltasar de Ayala, author of the noted work, De Jure et Officio Belli.

He said that with Henry IV and his great minister, Sully, and with the Abbe de St. Pierre and others who were the precursors of the League of Nations should be ranked the Spanish sociologist, Jovellanos, who not only conceived the idea of a league of nations but gave it a name, saying that "the confederation of all the nations of the world is the only general league possible within the human race and the only one which could preserve an inviolable and lasting peace and which could quell, not with armies and guns but by the imperative call of its voice, more powerful and terrible even than they, the foolhardy nation which should dare disturb the peace and happiness of humanity." He said that this idea arose in the Spanish mind with renewed strength when it seemed to be on the verge of realization in the League of Nations at Versailles.

Mr. Balfour responded with expressions of appreciation of the tact, judgment, and ability shown by the presiding officer

at the current session, and of the work of Spanish thinkers in behalf of universal peace. He spoke of three classes with which the league had to contend; those whose selfish interests it tended to thwart; those who cynically asserted that war, after all, was not so bad a thing, and that no institution could protect us against this periodical scourge which had darkened history from the beginning; and those ill-judging friends who imagined the league could at will create a new heaven and a new earth, and who did the league infinite harm by predicting and expecting too much within a short time. He said that he regarded faith in the future of the league as one of the most valuable assets of humanity; that so long as it had statesmen like de Leon it would not be tempted to rash or hopeless adventure on the one hand nor leave undone things it could do on the other.

PERMANENT COURT OF INTERNATIONAL JUSTICE.

The first report at this meeting was by Representative Bourgeois, of France, and dealt with the permanent court of international justice.

He began by stating that at the second Hague conference in 1907 it was realized that side by side with the court of arbitration set up by the first Hague conference in 1899 there should be established another tribunal more in the nature of a court of justice consisting not of a list of judges from whence parties could choose, but of a corps of magistrates, few in number—15 to 20 at most—always ready to sit together and whom the parties could neither appeal against nor challenge—that is, a permanent court in which a regular jurisprudence could develop, a court strictly juridical and rigorously judicial, free from all preoccupations and all political influences; a court of justice in the narrow but exact sense. This court would not mean the suppression of other forms of arbitration which States might choose, nor the disappearance of the Hague arbitration court, whose rôle in matters affecting world peace had been important.

He said that more than 40 States were represented at the second Hague conference, but that while the great powers each claimed the right to have one judge on the proposed court the other States could not agree to have only a judge by turns according to a system of rotation; that this created a hopeless condition; that the League of Nations did not yet exist, and the horrors and sufferings of a world war had not produced that spirit of mutual concession essential to international action, essential to the league, and which had already been so helpful to the council. The result was that when a plan for the court of arbitral justice was inserted in the protocol adopted at the second Hague conference the essential point, that of the method of appointing the judges, was omitted.

The necessity of such an institution continued to be so clear, however, that when the League of Nations was formed its first care was to take up, with a new means of solving it, the problem which in 1907 the nations had failed to solve.

The speaker then alluded in warmest and most grateful terms to the committee of jurists, chosen from the highest authorities in the world, which the council had authorized to frame a permanent court of international justice, to its labors

at The Hague, the scene of the great peace conferences of 1899 and 1907, and the draft statute it had devised, adding that their work would constitute one of the most important chapters in the history of law.

He said that a detailed and critical study could not be made of the draft at the moment, but that it was his duty to call attention to the most delicate part of the work, the first point being the appointment of judges.

The solution of this problem which had baffled the second Hague conference was based on the intervention of the council and assembly in the choice of judges. From a list of candidates prepared by the national groups of The Hague court the council and assembly, after consultation with the national experts, would proceed independently of each other to elect, first, 11 regular judges and then 4 deputy judges. Election would require a majority of votes in the assembly and a majority in the council. Thus the principle of national equality would be satisfied to exactly the same degree as in the covenant, said the speaker.

Thus the League of Nations, he continued, had by its very existence made possible the solution of a difficulty which had baffled the world since 1907; a solution consistent with the foundation principle of the league itself.

The next point of difficulty, Representative Bourgeois pointed out, was whether a judge could sit in a case where his own State was a party. Two solutions were suggested, one that the judge in such case resign, the other that the opposing State be allowed a judge from its own nationals. The second alternative had been adopted.

Another point was the right of one State to summon another before the permanent court, which was allowed on the ground that the law creating the court was a convention between the parties permitting the summons. The court could then decide whether the case was within its jurisdiction.

The speaker emphasized the duty of the council to formulate a definite opinion regarding the court, because it had been charged by the covenant with the submission of a plan therefor to the league, stating that while a detailed consideration could not be had immediately the members should reach a decision before the meeting of assembly.

Accordingly Representative de Leon offered the following for adoption:

The council approves the report of M. Bourgeois; decides to send to the Governments of States members of the League of Nations the draft for a permanent court of international justice prepared by the advisory committee of jurists, with the report presented to this committee by its rapporteur, and with a covering letter, text of which is attached; instructs M. Bourgeois to prepare, while keeping in touch with the other members of the council, a preliminary report on the committee's draft to serve as a basis for the final opinion of the council; authorizes the secretary general of the League of Nations to send to the members of the jurists' advisory committee a letter, of which the text is given in the annex, conveying to them the council's appreciation and thanks.

The resolution was adopted.

INTERNATIONAL FINANCIAL CONFERENCE.

Representative Bourgeois presented a report on the international financial conference, stating that the date had been set for July 23, but that the supreme council had requested its postponement to September 15, on account of failure of the confer-

ence at Spa to reach any definite disposition as to reparations and indemnities to be paid by the ex-enemy countries. The speaker recommended that the date be postponed until September, at which time the meeting should be held, even if the supreme council should again fail to arrange financial details with Germany. This and the other suggestions of the speaker were embodied in the following resolutions proposed by Representative de Leon:

(1) The date of the international financial conference at Brussels is definitely fixed for 24th September next.

(2) The secretary general is authorized to send invitations to the conference to the Governments of Germany, Austria, Hungary, and Bulgaria. These invitations will specify that only such questions as appear on the agenda can be discussed; that the president has been instructed by the council to exclude from the deliberations of the conference all questions at present under discussion between the Allies and Germany.

(3) The Reparation Commission will be invited to send a representative to take such note of the deliberations of the conference as may be useful.

(4). If before the beginning of the conference any decisions reached by them are reported by the allied powers to the council, such decisions will be communicated to the conference to enable the president and the organizing committee to take them into account in arranging the agenda and procedure of the conference.

(5) In consequence of the postponement of the Brussels financial conference, the council requests M. Ador, president of the conference, to appoint from among the delegates already nominated the technical committee which the council at its Rome meeting invited the Brussels conference to appoint in order to advise the league on the principles to be adopted in apportioning its expenses in future budgets among the various members. The committee would have power to add to its number not more than three experts with special experience in international statistics bearing on the relative wealth of nations.

(6) The council instructs M. Bourgeois to take in the council's name and according to circumstances all necessary measures with regard to the conference.

The report and resolutions were adopted.

MANDATES.

Representative Hymans, Belgium, presented a report on mandates, which was adopted with the resolutions it recommended, and which may be summarized as follows:

The fate and government of German territories outside of Europe are regulated by articles 118 and 119 of the treaty of Versailles and by article 22 of the league covenant. By these treaty articles Germany renounced in favor of the principal allied and associated powers her overseas possessions and agreed to recognize and accept the measures taken by said powers, in an agreement where necessary with third powers, to carry out the consequences of her renunciation.

Article 22 of the covenant lays down certain principles applying to peoples not yet able to stand by themselves who as a result of the late war have ceased to be under the sovereignty of the States formerly governing them, namely, that the well-being and development of such peoples form a sacred trust of civilization; that securities for the performance of the trust should be embodied in this covenant; that the tutelage of such peoples should be intrusted to nations best fitted to undertake it as mandatories on behalf of the league.

Article 22 then divides such peoples into three classes—first, certain communities formerly belonging to the Turkish Empire whose existence as independent nations can be provisionally recognized only on condition that they are guided by the advice of a mandatory; second, other peoples, especially those of

central Africa, whose administration should be assumed by the mandatory power under conditions which will prohibit abuses, give certain guaranties to the indigenous populations, and secure equal opportunities for the trade and commerce of all members of the league; third, territories such as Southwest Africa and certain south Pacific islands which can be best administered under the laws of the mandatory as integral portions of its territory, subject to the safeguards above mentioned, in the interests of the indigenous population. The mandates for these three classes should be known as A mandates, B mandates, and C mandates, respectively.

If the degree of authority, control, or administration to be exercised by the mandatory shall not have been agreed upon by the league members, it shall be explicitly defined in each case by the council. Finally, article 22 regulates the control of administration by mandatories, requiring them to render annual reports to the council and providing a permanent commission to examine the annual reports and advise the council on all matters relating to the observance of mandates.

The speaker then said that to insure the proper operation of this system the mandatory powers must be very carefully chosen; the frontiers of territories intrusted to these powers must be delimited; the powers must have effective means of administration, legally binding on the territories to be administered; terms of mandates must be especially defined in distinct charters applicable to each mandatory area.

He said that the principal allied and associated powers had so far taken the following steps as to mandates:

First, by decision published May 5, 1919, they had chosen the mandatory powers to whom they wished to intrust government of territories to be placed under mandate, this decision having been modified by a subsequent one in August, 1919, to the effect that the powers were never in complete agreement as to allocation of mandates, and the territories in question, pending further negotiations, were then placed under the actual administration of the mandatory powers to whom it was intended to intrust them.

Second, in draft treaties between the allied powers principally concerned the mandatory powers came to an understanding as to the delimitation of the frontiers of the territories intrusted to them, these drafts not having yet been published.

Third, in July and August, 1919, a commission appointed by the powers discussed the clauses of the mandates which in its opinion would best apply to territories classified above under "B" mandates and "C" mandates; with two reservations, one by the French Government as to recruitment of native troops on mandated areas; the other by the Japanese Government as to the interpretation of the "C" mandates.

The speaker said the next question was as to measures to be taken by the council as to mandates and as to hastening into force the mandatory system. Three points were to be considered:

First, allocation of mandates and legal title of mandatories. There was no dispute that the right to allocate the mandates, i. e., to appoint the mandatory powers and determine the mandatory territory, belonged to the principal allied and associated powers. The covenant is silent as to this, but article

119 of the treaty of Versailles transfers the sovereignty over German overseas possessions to these powers and article 118 stipulates that measures shall be taken by these powers, in agreement where necessary with third powers, to carry into effect the full consequences of the provision by which Germany renounces her rights outside Europe. These two articles serve as guides in interpreting the covenant, since they and the covenant are strictly contemporary, having been drawn up by the same authors, and since the covenant forms part of the treaty. The allied powers have adopted this interpretation of the covenant by inserting articles in the treaty of St. Germain with Austria and in the draft treaty with Turkey stipulating that the right to appoint mandatory powers shall belong to the principal allied powers.

The mandatory powers, besides being appointed, should also possess a legal title, and while they are appointed by the principal powers, they govern as mandatories and in the name of the League of Nations. The legal title held by the mandatory power is therefore a double one; one conferred by the principal powers, the other by the League of Nations. The procedure is as follows: First, the principal allied and associated powers confer a mandate on one of their number or a third power; second, the principal powers officially notify the council of the league that a certain power has been appointed mandatory for such a certain defined territory; third, the council of the League of Nations takes official cognizance of the appointment of the mandatory power and informs the latter that the council considers it as invested with the mandate, and at the same time notifies it of the terms of the mandate after ascertaining whether they are in accordance with the covenant.

Second, determination of the terms of mandates. Article 22 of the covenant, in providing that if the degree of authority, control, or administration to be exercised by the mandatory was not defined by the members of the league it should be explicitly defined by the council, did not entirely solve the matter. Most mandates would contain many provisions besides those relating to degree of authority. So far as "B" mandates and "C" mandates are concerned, article 22 is conclusive; neither the council nor the principal powers can alter its provisions; amendments can be made only by revision of the covenant. It is the duty of the council to see that these provisions are enforced. Every "B" and "C" mandate must be submitted for the council's approval; the question, therefore, of previous definition of authority is unimportant. As to "A" mandates there was no such specific provision in article 22, and the council's right of control does not attach except in the absence of action by the members of the league. The speaker contended that the expression "members of the league" meant in this connection the principal powers, because it would be manifestly very difficult for so numerous a body as the assembly to arrange the details of mandates, and because the powers had already adopted this construction by drawing up mandates soon after article 22 was drafted. He referred to Lord Curzon's speech on Mesopotamia in the House of Lords as another evidence that the British Government also favored this construction.

Third, extent of the league's right of control. On this point the speaker said he would refrain from controversy as to where the sovereignty actually resided in the matter of mandates, that the responsibility of the league before the public opinion of the civilized world would be in fact a moral one. In what direction was the league's right of control to be exercised? Was the council to content itself with ascertaining that the mandatory power had remained within the limits of the powers conferred upon it, or was it to ascertain also whether the mandatory power had made good use of these powers and whether its administration had conformed to the interests of the native population? The speaker thought the latter course should be followed. Article 22 of the covenant indicated the spirit with which the mandatory territory should be administered, providing that tutelage should be exercised by States as mandatories and in the name of the league. The annual report it required should state the whole moral and material situation of the people under mandate and the council should examine the whole administration, acting, however, with judgment and prudence.

It was not necessary that the council's commission on mandates should be set up until the first reports were rendered; that it would be difficult to appoint the commission until it was known which were the mandatory countries; that in forming the commission it would be desirable to have among its members delegates from each mandatory power; that the objection that this made these powers both judges and parties could be answered by the statement that the commission did not judge but merely made recommendations; that it could be provided that no member could take part in a vote on a report on his own State; that the council could appoint the larger number of members from countries not mandatory powers, and so forth.

The speaker then submitted the following resolutions, which were agreed to:

(1) The council decides to request the principal powers to name the countries to whom they have decided to allocate the mandates provided for in article 22; to inform it as to the frontiers of the territories to come under these mandates; to communicate to it the terms and conditions of the mandates that they propose should be adopted by the council following the prescriptions of article 22.

(2) The council will take cognizance of the mandatory powers appointed and will examine the draft mandates communicated to it in order to ascertain that they conform to the prescriptions of article 22 of covenant.

(3) The council will notify each power appointed that it is invested with the mandate and will at the same time communicate to it the terms and conditions

(4) The council instructs the secretary general, following the recommendations set forth in this report, to prepare a draft scheme for the organization of the commission of control provided for by article 22, paragraph 9.

COMMISSION FOR MILITARY, NAVAL, AND AIR QUESTIONS.

Representative Bourgeois presented a report on the permanent advisory commission for military, naval, and air questions, referring to the decision at the Rome meeting that each nation represented on the council should have a military representative, a naval representative, and an air representative on the commission; that other States members of the league should be invited, whenever a question directly interesting them was being discussed, to send the same number of representatives to sit

temporarily; that each nation should have but one vote on the commission regardless of the number of its representatives.

The secretary general had asked the nations concerned to name their representatives; this they had done, and the list was now before the council.

The speaker said that the commission was at that time holding its first meeting in San Sebastian and arranging for permanent work; that it already had two questions before it, that of asphyxiating gases as a weapon of warfare, submitted by the British Government, and that of the traffic in arms; that the speaker, Señor de Leon, Mr. Balfour, and other members of the council had visited the commission to extend the council's greetings and best wishes; that a welcome had also been extended by the Spanish Government; that all this showed the importance of the part the military commission would have to play in insuring the carrying out of treaties and in fulfilling the tasks assigned it by the covenant; that the commission would apprise the council of the result of its work.

APPEAL OF KING OF HEDJAZ.

Representative Balfour (Great Britain) reported on a communication from the King of Hedjaz appealing to the council with reference to certain events in Damascus and asking its intervention.

The appeal of the King of Hedjaz was as follows:

To the secretary general of the League of Nations and the representatives of the great allied powers:

The arrest by the French authorities of the members of the Lebanon administrative council, legally elected by the people, and their imprisonment and trial by a court-martial is a violation of all justice and of international law. Your league is to-day by its constitution the only protector of the rights and liberties of both individuals and nations, and I would therefore ask your honorable league to intervene with the French Government in order to secure the release of the Lebanon deputies who took decisions which were fully within their rights. If the conference thinks it useful to have an investigation, I would ask that the commission holding this investigation should be an inter-allied one. I can not believe for one moment, as others do, that members who are as honorable and as worthy as M. Sadallah Hoyayek and his companions can be guilty of the offense with which they are charged. The league is morally responsible for this injustice, and I am confident that it will take this just request into consideration.

MECCA,
El Gazza Palace, Hussein.

Mr. Balfour said that the council had given the matter careful consideration, that the King of Hedjaz referred to no particular provision in the covenant, that his appeal was general in character but clearly assumed that the league was now dealing with a world in which the tragedies of the Great War had been followed by a settled peace of which the League of Nations was under the covenant the appointed guardian. He said that this state of things had not yet been reached, that peace with Turkey, though in sight, had not been concluded, that Syria was still a part of the enemy country—that large parts of it were in military occupation, that the mandate under which it was to be governed was not yet in force, that present conditions were essentially transitory and of a kind never contemplated by the framers of the covenant—that the council had therefore informed the King that it was beyond their province to intervene where in international law war still continued, and where the new system to be established at the place was not yet in operation, that they could not take

action in a matter wholly outside their jurisdiction, but that they had transmitted the King's telegram to the French Government.

The speaker quoted the telegram sent by the council to the King of Hedjaz, which was as follows:

The council recognizes the importance of maintaining friendly relations between all nations, but it desires to point out to your Majesty that as peace between Turkey and the allied powers has not yet been concluded Syria is still by international law part of an enemy country. In Syria the Great War still continues and the portions of territory where the events happened to which your Majesty has referred are in the military occupation of the French.

This is not the kind of situation contemplated by the covenant from which the League of Nations derives its authority; the league was designed to preserve the peace as established by treaties. It can not be asked to intervene in regions where that peace is not yet secured. The council has therefore decided after careful deliberation that it can only communicate your Majesty's telegram to the French Government.

REPATRIATION OF PRISONERS OF WAR.

The secretary general, reporting on the repatriation of prisoners of war, said that since the London meeting in June Dr. Nansen had been seeking to carry out the measures he then explained to the council, had been in touch with the Governments and agencies concerned, and had made a special journey to Moscow to discuss matters with the soviet authorities; that he was more impressed than ever on both political and humanitarian grounds with the necessity of getting as many prisoners home as possible before winter, otherwise many thousands would die and all endure great hardship. Dr. Nansen's negotiations with the Governments and with the international committee for relief credits had been most successful; he had already secured a part of the funds he required, and he had been given most generous help by various voluntary agencies, such as American Red Cross, Swedish Red Cross, and the American Young Men's Christian Association. He had secured all the ships required for the Baltic routes and they would shortly be in service. He also hoped shortly to begin repatriation from Vladivostok and was studying means of bringing home prisoners in Turkestan and the Black Sea Provinces of Russia.

The secretary hoped that with Dr. Nansen's plans working smoothly the majority of prisoners would be repatriated before winter came in full severity, but that winter would not stop the work, as the port of Libau in the Baltic would be available and as the port of Vladivostok could be used the year through by means of ice breakers.

MEETING PLACE OF TRANSIT CONFERENCE.

Representative da Cunha, Brazil, proposed that the general conference on transit should meet in Barcelona, alluding to the growing industrial activity and maritime commerce of that city. He said he felt sure the conference would receive the same hospitality from the Spanish Government and the Spanish nation which the council had experienced. The proposal was adopted by acclamation, and Representative de Leon announced that the Spanish Government had already expressed its willingness to provide the conference with all necessary facilities.

AALAND ISLANDS.

The secretary general reported that the commission authorized by the council to act on the Aaland Islands had been appointed as follows: M. Larnaude, dean of law faculty, University of Paris, president; Dr. Struycken, councillor of state

at The Hague; and Dr. Huber, counselor of political department, Berne. The first meeting would take place August 3 at Paris. The Finnish legation in London had telegraphed the secretary on July 13 that the court had released the Aaland Island prisoners, Mr. Sundblom and Mr. Bjorkman, and that their case had been adjourned till July 23.

CONVENING OF ASSEMBLY.

The Official Journal of the league shows that on July 20, 1920, the secretary general transmitted to the member nations the following call by Woodrow Wilson for the first meeting of the assembly on November 15, 1920, at Geneva, 11 a. m.

"At the request of the council of the League of Nations that I summon a meeting of the assembly of the League of Nations, I have the honor, in accordance with the provisions of article 5 of the covenant of the League of Nations to summon the assembly of the league to convene in the city of Geneva, the seat of the league, on the 15th day of November, 1920, at 11 o'clock."

AMENDMENTS TO COVENANT.

The Official Journal of the league showed that in July the Danish, Norwegian, and Swedish Governments proposed certain amendments to the covenant.

SAAR BASIN GOVERNING COMMISSION.

On July 1 the Saar Basin Governing Commission made another report, stating that the month of June would end the first stage in the government of the Saar Basin by the commission. The commisison would after the end of July have the help of the local assemblies, the machinery for the election of which by universal suffrage the commission had been carefully devising. Assemblies elected under the prewar system were based on restricted suffrage, were not representative, and the commission could not cooperate with them. The election soon to be held would be the first in the Saar Basin since 1914, and the commission would consult the new assemblies in accordance with the Versailles treaty. Beneficent laws could then be enacted and the basis of financial credits established. Thenceforward the commission would take on a new character.

SECOND INTERNATIONAL LABOR CONFERENCE.

The international labor conference held its second meeting at Geneva June 15 to July 10, 1920, made recommendations for limiting the hours of work in the fishing industry, in inland navigation, for the preparation of national seamen's codes, for unemployment insurance for seamen, and adopted draft conventions, fixing the minimum age for child labor at sea, for unemployment indemnity in case of loss or foundering of ships, for facilities for finding employment for seamen. The league was duly advised of the proceedings through the secretary general.

PUBLIC MEETING, NINTH SESSION OF COUNCIL, PARIS, SEPTEMBER 20.

Representative Bourgeois, presiding officer, in his opening speech at the public meeting of the ninth session of the council at Paris on September 20, thanked Representative de Leon for his work as president both at San Sebastian and between the sessions, expressed the council's regret that henceforth Representative Matsui would be unable to sit as the representative of Japan, thanking him for his cordial and devoted service to the league.

AALAND ISLANDS QUESTION.

The Aaland Islands matter was first taken up, and the rep-representatives of Sweden and Finland, Mr. Branting and Mr. Enckel, were invited to sit at the council table.

Representative Fisher, Great Britain, then submitted a report referring to the decision of the council at the London meeting in July, with the assent of Sweden and Finland, to appoint an international commission of jurists to advise (a) whether the case presented by Sweden in regard to the Aaland Islands dealt with a question which should under international law be regarded as falling within the domestic jurisdiction of Finland and therefore outside the competence of the council, and (b) as to the present position of international obligations concerning the demilitarization of the islands. The commission sat at Paris from August 3 to September 5 and made their report which had been sent to all members of the council, a report of great value in the light it threw on the intricate problem involved, prepared with painstaking and thorough care, deserving warmest gratitude and appreciation.

The commission had concluded that the dispute between Sweden and Finland did not refer to a question left by international law to the jurisdiction of Finland, and that consequently the council is competent under paragraph 4 of article 15 of the covenant to make any recommendations it may deem just and proper. The arguments were fully developed in the report and were based largely on considerations affecting the formation of the independent State of Finland and its recognition as a sovereign State. The report stated further that although the populations of Finland and Aaland Islands acted together to separate themselves from Russia they have from the outset moved along lines ever more widely diverging, the former desiring to form an independent state, the latter to be reunited to Sweden, from which they had been separated since 1809.

Another point was Russia's interest, Russia having indicated that she would not be bound by any decision as to the Aaland Islands in which she did not participate. The commission found further that the convention and treaty of 1856 concerning the demilitarization of Aaland Islands was still in force. It was the speaker's conclusion, after thorough consideration, that the fate of the Aaland Islands could not be considered entirely as a domestic question with which Finland and Finland alone was concerned, but that it had an international aspect within the competence of the league. Aside from the legal phase, it was to the public interest of Europe that this question, so long a source of dispute between two neighboring states, should be peaceably adjusted. The council would doubtless accept in full the doctrine that a definitely and legally constituted State may accord or refuse to a part of its population the right of determining its political destiny by plebiscite or otherwise.

The speaker was of the opinion, however, that the doubts expressed by the commission as to whether Finland was such a legally constituted State during the recent period of revolution were justified and that there was at least sufficient uncertainty attaching to the matter, taken in connection with the public interests of Europe, to justify the intervention of the league.

He suggested that the council declare itself competent to deal with the matter under paragraph 4, article 15, of the covenant. The next step was to obtain all possible information on all points at issue. The subject was one of exceptional difficulty and would require considerable time, wherefore the Governments concerned should do all in their power to remove or assuage any cause of public irritation while it was under judgment.

He proposed the following resolution:

The council of the League of Nations having been invited by Great Britain to examine the question of the Aaland Islands,

Having considered the advisory report furnished at its request by a commission of international jurists,

Recognizing the duties imposed upon it by articles 4 and 11 of the covenant in the supreme interest of peace between nations—

(a) Declares itself in accordance with the conclusions of the report competent to make any recommendation which it deems just and proper in the case,

(b) And appoints Messrs. (these to be chosen later) to furnish the council, in the shortest time required for the necessary consultations and having regard to the legitimate interests of all parties concerned, with a report which will enable it to frame a final or provisional settlement of the question and to establish conditions favorable to the maintenance of peace in that part of the world.

The report and resolution were agreed to.

DISPUTE BETWEEN POLAND AND LITHUANIA.

Representative Hymans, Belgium, made a report on the dispute between Lithuania and Poland, stating that the council had been requested by telegram of September 5, 1920, from the Polish Government to intervene in order to prevent war between Poland and Lithuania. The Lithuanian Government had consented under article 17 of the covenant to accept for this dispute the obligations of a member of the league and had appointed Prof. Voldemar to represent it. The Polish Government was represented by Mr. Paderewski, ex-president of the council of ministers, who had stated to the council that the danger of war arose from the presence of Lithuanian troops to the west of the frontier provisionally assigned to Poland by the supreme council on December 8, 1919. This assignment, asserted the Lithuanian representative, was not legally binding on the Lithuanian Government. He contended that on July 12, 1920, under a treaty with the soviet government another line had been partially fixed as the frontier of Lithuania and was to have been completed by an agreement between Lithuania and Poland.

The speaker said that the council was not asked for a final settlement of this dispute or of other questions at issue between Poland and Lithuania, that a conference had been opened at Kalwarya between representatives of the two States which would lead, it was hoped, to permanent peace, but that immediate intervention by the council was needed to obtain the provisional acceptance by Lithuania and Poland, reserving all their rights, of a line defining the zones of occupation. In seeking a solution the council was compelled to consider the fact that a state of war existed between Poland and the soviet government. The council had been informed by the representatives of Lithuania and Poland that a part of Lithuania, namely, the zone of Grodna and Lida, was still occupied by soviet troops. This made it difficult to adopt provisional lines of demarcation between Lithuania and Poland and made it hardly possible for Lithuania to refuse Poland permission to

use Lithuanian territory for military purposes. It was evident that if the neutrality of Lithuanian territory was not equally respected by soviet Russia and Poland any provisional demarcation between Lithuania and Poland would become impossible. Lithuania desired neutrality, and it was in the interest of the general peace of Europe. It would not prejudice the legitimate interests of the belligerents. The Lithuanian representative had announced receipt of a telegram from the soviet government declaring its readiness to evacuate Lithuania provided that country would guarantee the respect of its neutrality by Poland.

Accordingly Representative Hymans proposed the succeeding resolution:

(a) The council, considering that the immediate cessation of hostilities is an indispensable condition of any useful intervention on the part of the council of the League of Nations, addresses to the Governments of Lithuania and Poland a most urgent appeal to take immediately all measures necessary to prevent any hostile acts between their troops.

(b) The council proposes to the Governments of Lithuania and Poland that they shall bind themselves by mutual undertakings:

(1) The Lithuanian Government adopts as a provisional line of demarcation, reserving all its territorial rights and awaiting the result of its direct negotiations with Poland, the frontier fixed by the supreme council of the Allies in its declaration of December 8, 1919, and undertakes to withdraw its troops from the territory to the west of this line.

(2) The Government of Poland undertakes, reserving all its territorial rights, to respect during the war now in progress between Poland and Russia the neutrality of the territory occupied by Lithuania to the east of the line of demarcation above specified, provided that respect for this neutrality be also secured from the soviet authorities by Lithuania.

(c) The council offers to the Lithuanian and Polish Governments, in the event of their accepting the present provisional agreement, to appoint a commission intrusted with the duty of insuring on the spot the strict observation by the interested parties of the obligations arising from this agreement.

(d) The council instructs its president to appoint representatives to receive the replies of the Governments of Lithuania and Poland, to continue to afford them the support of the council, to proceed, if necessary, to the appointment of the commission mentioned in the preceding resolution, and to report to the council at its next session.

The report and resolutions were agreed to.

Prof. Voldemar, the Lithuanian representative, then addressed the council, thanking it for the great interest taken in the dispute between Lithuania and Poland. He said that when the dispute was placed before the council war seemed inevitable, but that after the council had acted he would leave with the firm hope that the disputing countries would be able to avoid all acts of hostility pending a permanent settlement.

Mr. Paderewski, the Polish representative, next spoke. He said that when Poland found herself in conflict with Lithuania she conceived it her duty not only to avoid war but to set a good example; that she requested that the League of Nations intervene as mediator; that she congratulated herself on the readiness and equity with which the league had acted. He said he felt sure his Government would carry out the league's suggestions, and that Lithuania would do likewise.

I clasp your hand—

He said to Prof. Voldemar, the Lithuanian representative—

as a symbol of the firm and lasting friendship which unite our two countries.

(Paderewski and Voldemar here shook hands amid loud applause.)

Mr. Paderewski added that the confidence and reverence which from the first he had felt for the league had been increased and strengthened.

The presiding officer, Representative Bourgeois, arose with expressions of satisfaction and congratulation. He said, among other things, that he hoped the memory of these two decisions—the one with the help and in the presence of the representatives of Sweden and Finland; the other with the help and in the presence of the representatives of Poland and Lithuania—would make clear to public opinion the nature of the growing moral authority of the League of Nations and how it would become each day more solid, more powerful, and more efficacious for each of the countries presenting themselves before the council and for all the human race.

SAAR BASIN GOVERNING COMMISSION.

A report reviewing the work of the Saar Basin governing commission was made by Representative Caclamanos, of Greece, who suggested the acceptance of the resignation proffered by Mr. de Boch, chairman of the commission, and the appointment of Dr. Hector, of Saarlouis, as his successor.

The report and suggestions were adopted.

EUPEN AND MALMEDY.

Representative da Cunha, Brazil, reporting on Eupen and Malmedy, quoted article 34 of the peace treaty of Versailles, as follows:

Germany renounces in favor of Belgium all rights and title over the territory comprising the whole of the Kreise of Eupen and Malmedy.

During the six months after the coming into force of this treaty registers will be opened by the Belgian authorities at Eupen and Malmedy in which the inhabitants of the above territory will be entitled to record in writing a desire to see the whole or part of it remain under German sovereignty.

The results of this public expression of opinion will be communicated by the Belgian Government to the League of Nations, and Belgium undertakes to accept the decision of the league.

The Belgian Government, said the speaker, had filed a report giving these results and concluding as follows:

In view of the legal considerations and facts which have been detailed in the present report and having regard to the results of the public expression of opinion, the Belgian Government has the honor to beg the council of the League of Nations, in accordance with paragraph 3, article 34, treaty of Versailles of June 28, 1919, to recognize the definite character of the transfer of the districts of Eupen and Malmedy to the sovereignty of Belgium.

Mr. da Cunha called attention to the fact that under the terms of the treaty the right of voting had been given only to those who desired to protest against the transfer of sovereignty; that out of 63,940 inhabitants only 271 inscribed their protests in the registers kept open for six months as required by the treaty. He proposed a resolution as follows:

The council of the League of Nations considering that inasmuch as full effective sovereignty over the districts of Eupen and Malmedy was exercised by Belgium, the establishment of the conditions for the public expression of opinion provided for in article 34 appertained to the Belgian Government, resolves,

That the conditions established by the Belgian authorities are in harmony with the letter and spirit of the treaty;

That the results of the public expression of opinion were brought to the knowledge of the League of Nations on August 19, 1920, by the Belgian Government, together with the registers in which the protests were recorded;

That these protests are 271 in number out of a total population of more than 63,000 inhabitants;

That these results show that among the inhabitants of Eupen and Malmedy the opposition to the cession of these districts is not sufficiently strong to outweigh in the opinion of the league all the considerations which form the basis of the provisions of the treaty;

That under these conditions the cession of the districts to Belgium is, according to the terms of the treaty of Versailles, to remain effective and valid;

That no other decision can be taken unless it is demonstrated by definite and concordant proof that the result of the public expression of opinion had been determined by means of intermediation and pressure, by abuse of authority, and threats of reprisals which had prevented the free expression of the will of the inhabitants;

That the documents brought forward with a view to proving such abuses or maneuvers are not pertinent nor definite;

That finally the circular which forms the subject of a charge against a Belgian official and which threatened reprisals against persons of three communities of the district of Malmedy who protested was immediately disclaimed by the high commissioner of the Belgian Government and was not used;

Recognizes the definitive transfer of the districts of Eupen and Malmedy under the sovereignty of Belgium.

INTERMIGRATION COMMISSION OF GREECE AND BULGARIA.

Representative Bourgeois, France, presented a report on the reciprocal immigration commission of Greece and Bulgaria, stating that these countries signed a convention on this subject on November 27, 1919. By this convention the parties recognized the right of their subjects forming religious and linguistic minorities to emigrate freely into their respective territories. A mixed commission was to be appointed three months before entry into force of the convention composed of one member nominated by each party and of an equal number of members of different nationality, from among whom the president shall be chosen, and who shall be nominated by the council. The commission would be expected to supervise and facilitate the emigration referred to, to take such steps as the convention required, and decide all controversies. The convention would become effective November 9, 1920.

This was not the first time, Representative Bourgeois remarked, that such a question had come before the council. By resolution on February 13, 1920, the council had undertaken to guarantee the provisions for the protection of minorities in the treaty of June 21, 1919, between the great powers and Poland. The council had recognized the fact that protection of minorities was one of the regular duties of the league, but it had taken care clearly to define the limit of its competence. At its Paris meeting in April during the discussion of the protection of minorities in Turkey the following decision was made:

In so far as in particular the nomination of members of mixed commissions is concerned, commissions which are provided for by certain of its clauses, the council readily consents to undertake from the present to nominate persons to these posts who shall seem to it to be the most suitable by reason of their high moral character, their competence, and their recognized impartiality. But it takes the view that its collaboration, except in so far as it may be modified later, shall be limited to the nomination of the members of commissions, and that these shall act under the control and responsibility of the high contracting powers.

The speaker believed, therefore, that if the council should undertake to nominate two members of the emigration commission under discussion it must be clearly understood that they would act under the authority and on behalf of the high contracting powers.

He submitted the resolution which follows:

1. The council of the League of Nations resolves that the conclusions of the report of M. Bourgeois regarding the appointment by the League

of Nations of two members of the mixed commission provided for by article 8 of the convention between Greece and Bulgaria signed on November 27, 1919, concerning reciprocal emigration be adopted.

2. The council has decided upon two members of the mixed commission and has requested its acting president, in consultation with the secretary general, to take the steps required to make the appointments final.

The resolution and report were agreed to.

INTERNATIONAL FINANCIAL CONFERENCE.

The official journal of the league contains an account of the international financial conference at Brussels, September 24–October 8, 1920, in the chamber of deputies, a conference summoned by the council of the league under a resolution adopted by the council in February, 1920.

The members of the conference, 86 in number, while appointed by their Governments, attended as private citizens and not as official representatives of their respective countries. Thirty-nine countries were represented, to wit: Argentina, Armenia, Australia, Austria, Belgium, Brazil, Bulgaria, Canada, China, Czechoslovakia, Denmark, Esthonia, Finland, France, Germany, Greece, Guatemala, Holland, Hungary, India, Italy, Japan, Latvia, Lithuania, Luxemberg, New Zealand, Norway, Peru, Poland, Portugal, Rumania, Serb-Croat-Slovene State, South Africa, Spain, Sweden, Switzerland, United Kingdom, United States, Uruguay.

The conference recommended that the league urge certain reforms, as follows:

Unification of laws relating to bills of exchange and bills of lading.

Reciprocal treatment of the branches of foreign banks in different countries.

Publication of financial information in a clear, comparative form.

Examination of claims by holders of bonds interest on which is in arrears.

International understanding on the subject of lost, stolen, or destroyed securities.

Establishment of an international clearing house.

An international understanding which, while insuring due payment by everyone of his full share of taxation, would avoid the imposition of double taxation which is at present an obstacle to the placing of investments abroad.

A permanent organization to continue the studies begun by the conference, with probably another meeting of the conference.

REGISTRATION WITH THE LEAGUE OF GERMAN TREATIES.

The journal contains a communication, dated August 11, 1920, from a representative of the German Government, stating that Germany would inform the secretary general of all international agreements entered into with Germany since the peace treaty came into force, and would adopt a similar course as to any future agreements.

The communication added that in view of the fact that Germany was not a member of the League of Nations, and that the information in question must be regarded as supplied voluntarily, the provision in article 18 of the covenant that legal validity of all international agreements shall date from the day of their registration by the league could not in the nature of things apply to Germany.

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INTERNATIONAL UNIVERSITY.

On August 18, 1920, the secretaries general of the International University advised the league that the collaboration of 47 professors had been secured for the inaugural session.

FIRST PUBLIC MEETING, TENTH SESSION OF COUNCIL, BRUSSELS, OCTOBER 27.

President Hymans welcomed the council at the opening of the first public meeting of its tenth session, held at Brussels, stating that this would be the last formal session before the meeting of the assembly and therefore closed the first chapter in the league's history. A report on the work of the council since its first meeting, in January, 1920, would be made to the assembly.

REVIEW OF PROCEEDINGS, PRESENT SESSION.

The president then reviewed the dealings of the council during earlier meetings in the present session with a number of questions.

ARMENIA.

First, he spoke of Armenia, stating that the Armenian delegation to the peace conference had denounced to the council the aggressions which Armenia had suffered from Turkish nationalist troops. The council thought that the signatory powers to the treaty of Sevres should see that it was carried out, and had forwarded the Armenian appeal to the four powers represented on the supreme council, urging them to fix the Armenian frontiers. In transmitting the appeal the league council referred to its resolution of April 11 for cooperation with the supreme council in behalf of Armenia and asked the four powers to consider how this cooperation might be applied.

EUPEN AND MALMEDY.

Second, he referred to Eupen and Malmedy, stating that Germany had criticized the Paris resolution of the council, declaring the transfer to Belgium of these districts to be definitive, questioning the legality of the decision, but that the council had dismissed the objection and upheld the council's action, which was based on the covenant and the peace treaty.

INTERNATIONAL MONOPOLIES.

Third, he took up the matter of international monopolies, calling attention to difficulties experienced by many countries in securing imports of raw materials essential to their welfare and existence. He said Representative Tittoni had made a special study of this situation in connection with paragraph (e), article 23, of the league, relating to equitable treatment for the commerce of member nations, and attributed these difficulties to certain international monopolies. After debate, the council passed a resolution requesting the economic section of the economic and financial committee to study the entire matter and report on it at the earliest possible moment.

PASSPORTS CONFERENCE.

Fourth, he referred to the passports conference convened by the council at Paris to discuss passports, customs, facilities, and through tickets, stating that the council had decided to communicate the proposals of the conference to all the Governments.

INTERNATIONAL STATISTICS.

Fifth, he alluded to the report to the council of the international statistical commission which met at Paris October 10,

saying that it was to be regretted that while the commission agreed unanimously on certain principles, differences had arisen as to the means of centralizing and coordinating statistical data for international purposes, saying further that the council had received a majority report signed by nine members and a minority report signed by three, and that the council had decided to transmit both reports to all the Governments, asking for their views. He added that the council tendered thanks to the commission, which was composed of eminent experts.

EXPENSES OF COMMISSIONS.

Sixth, he mentioned the council's decision of the question of payment of expenses of temporary commissions appointed by the league, saying it was decided in principle that when commissions were appointed in the interests of one or more countries they would bear the expense, but where all members of the league were interested the league would bear the cost, and that it was further decided that in the future the question of expenses would be settled when the commissions were appointed.

PRISONERS OF WAR.

Seventh, he adverted to prisoners of war, saying that the council was pleased to note the remarkable results obtained by Dr. Nansen in connection with the International Red Cross in repatriating prisoners of war in Russia and Siberia and in returning Russian prisoners detained elsewhere; that up to September 15, 100,000 prisoners had been returned by the Baltic Sea route; that Dr. Nansen had arranged for the return of 7,000 by way of Vladivostock; that 29,000 remained in Siberia, as well as some 20,000 to be returned by the Black Sea route; that Dr. Nansen still faced great difficulties but had worked with admirable skill and devotion, deserving the deepest gratitude of the league.

TYPHUS.

Eighth, he concluded with a reference to typhus, stating that the secretary general had laid before the council the result of the campaign of the league against the typhus epidemic in Poland and Central Europe; that many countries had failed to respond and that the needed funds had not all been collected; that the council had decided on further efforts; that a mission of two eminent health experts and the chief typhus commissioner would leave shortly for Poland to examine the situation and report to the assembly.

MINORITIES CLAUSES OF CERTAIN TREATIES.

Representative Tittoni, Italy, presented a report on the minorities clauses of certain treaties, stating that the council had decided to determine the nature and limits of the league's guaranties for protection of minorities provided for by the different treaties.

These provisions in the treaties read generally that the country concerned agrees that the foregoing stipulations so far as they affect persons belonging to racial, linquistic, or religious minorities constitute obligations of international concern and shall be placed under the guaranty of the League of Nations, and further agrees that any member of the council of the league may bring to the council's attention any infraction, or danger of infraction, of any of these obligations, and that the council

may thereupon take such action as it may deem proper. The countries concerned have further agreed, said the speaker, that any differences as to questions of law or fact arising out of these articles between the Government concerned and any one of the powers, a member of the council, shall be considered a dispute of international character under article 14 of the covenant, which dispute, if the other party demands, shall be referred to the permanent court of international justice.

Heretofore, continued Mr. Tittoni, similar provisions have under international law had their guaranties executed by the great powers, but the peace treaties, introducing a new system, have placed such guaranties under protection of the League of Nations, the council and the permanent court of justice being the organs for the execution of such guaranties.

He said that the terms "guaranty of the League of Nations" mean above all that the provisions for the protection of minorities are inviolable; that is, can not be modified in the sense of violating in any way rights actually recognized; that the league must see that they are observed; that the council must take action in the event of any infraction or danger of infraction; that the treaties are clear as to this, indicating the procedure that should be followed. The right of calling attention to any infraction or danger thereof is reserved to members of the council, who are thereby called upon to take a special interest in the protection of minorities. This right does not preclude minorities themselves or States not members of the council from calling the league's attention to infractions or danger thereof, but in doing so they exercise a right of petition or report, and their action does not have the legal effect of putting the matter before the council and calling on it to intervene. The secretary general must communicate the petition or report to the council, and any member may necessitate action by formally calling attention to it.

The report of Mr. Tittoni was approved and the council by resolution invited members to direct the special attention of their Governments thereto.

PERMANENT COURT OF INTERNATIONAL JUSTICE.

Representative Bourgeois, France, presented a report on the permanent court of international justice, referring to the instruction given him by the council at San Sebastian to forward the plan of the committee of jurists to the Governments and to prepare a preliminary report to serve as a basis for the final opinion of the council. He said the main points to be considered by the council were as follows:

First, the question of obligatory character of jurisdiction was a question of interpreting article 34 of the scheme of the committee of jurists which provides that:

Between States members of the League of Nations the court will, without special convention, decide disputes of a judicial nature which concern (a) the interpretation of a treaty, (b) any point in international law, (c) any fact which if established would constitute a violation of international agreement, (d) the nature or extent of reparations due for the violation of international agreements, (e) the interpretation of a sentence pronounced by the court. The court will also deal with all disputes of whatever nature submitted to it as the result of a convention whether general or special between the parties. In case of doubt as to whether a dispute comes within the categories mentioned above, the court shall decide.

Commenting on this article, Representative Bourgeois said that no difficulty arose in case there was a general or special convention between the parties declaring the court to be competent, but it remained to be decided whether a court of justice could be set up entitled to consider itself competent to give a decision where no special convention exists. He said that the committee of jurists reasoned that if article 34 should be approved by the league, such action would be in effect a special convention between all members, giving the court the rights conferred under article 34. He doubted, however, whether the member nations would want to go so far. Article 34 in reality amended the covenant, substituting the decision of the permanent court for that which the council may make under the covenant as to whether diplomatic methods have been exhausted before the dispute reaches the council, and substituting the court's decision for the free choice allowed the parties by the covenant as to whether they shall lay their dispute before the court, before another international tribunal, or before the council. He did not think that such an alteration of the covenant should be countenanced so early in its history. He proposed, therefore, the following resolution as to his first point:

Whereas the text proposed by The Hague jurists tends to modify the principle which gives the parties the right to choose between the two alternatives of judicial procedure or appeal to the council for the settlement of a dispute which has arisen between them;

Whereas this would constitute a modification of article 12 of the covenant;

Whereas at the present time there should be no question of considering modifications to this covenant, but rather of applying it;

The council proposes to substitute in the draft scheme of The Hague in place of articles 33 and 34 the following articles:

"ART. 33. The competence of the court shall be governed by articles 12, 13, and 14 of the covenant.

"ART. 34. Without prejudice to the freedom given by article 12 of the covenant to the parties in a dispute to submit it either to judicial procedure or arbitration or to the consideration of the council, the court shall, without a special agreement, deal with disputes whose settlement is intrusted to it or the court established by the League of Nations under the terms of the treaties now in force.

"It is to be clearly understood that the secretariat shall be intrusted, if need be, to bring the terms of the remainder of the draft scheme into harmony with this new wording of articles 33 and 34. By adopting this wording the council does not in any way wish to declare itself opposed to the actual idea of the compulsory jurisdiction of the court in questions of a judicial nature. This is a development of the authority of the court of justice which may be extremely useful in effecting the general settlement of disputes between nations, and the council would certainly have no objection to the consideration of the problem at some future date. In upholding the wording which we have the honor to submit to it, it will confine itself to declaring that at the present time it can not undertake to propose any modification in the provisions of the covenant, since such modifications whatever may be their particular value can only be introduced without danger when they receive the entirely unanimous approval of the members of the League of Nations."

Second, Mr. Bourgeois took up the question of the court's jurisdiction over disputes already pending at the time the court came into being, saying that this question was no longer important if the parties were to retain the right of choosing their own tribunal, and that this was also true of the third question, namely, that of the court's jurisdiction over prizes.

Fourth, he referred to the question of national judges, saying that the contending parties should be on an equal footing, and that this had been obtained by giving the other party the right

to a judge of his own nationality where one party already had his own nationality represented on the court.

The Fifth question was whether the league as such or its organizations should be allowed to appear before the court to present conclusions or stress points of view appearing to them in conformity with the general interest. The essential principle to be safeguarded here was that of the respective independence of the judicial powers represented by the court and of the international power represented by the league, each having its own domain. After the council and assembly had created the court it should be allowed independence in its judgments. Therefore the question should be answered in the negative.

Sixth, the speaker discussed the salaries of the judges, saying that a distinction should be made between the president and clerk of the court and the rest of the judges; that the president and clerk were to reside at the seat of the court, the president, apart from his judicial work at court meetings, directing the general work of the court, preparing the cases to come up for judgment, and supervising the execution of judgments; that the president and clerk should have annual salaries; that the salary of the president should be large, it being essential that the head of the international magistracy should be in a position of undoubted eminence. As to the other judges, a moderate fixed salary should be granted and supplemented by large daily allowances during meetings necessitating their presence at The Hague.

Seventh, was the question of nomination of candidates, the committee's draft proposing that this be done by the national groups of the members of the permanent court. Certain Governments had suggested that this be done by the Governments. This the speaker opposed, saying that the nomination of judges should be freed from political interests of the different countries.

Eighth, the speaker alluded to the right of intervention by nonlitigant countries, saying that it had been pointed out that the court might in a decision unimportant in itself lay down certain principles of international law which if applied to other countries would upset their traditional laws and principles and cause serious consequences; that it had been asked whether in such a case the other countries affected should not be allowed to intervene in the interest of the harmonious development of the law. Mr. Bourgeois stated that the draft scheme for the court had already given nonlitigant States the right to intervene when any interest of a judicial nature concerning them was involved, and had moreover provided that where nonlitigant States had taken part in a question of this kind all the member countries would be notified and each accorded the right to intervene. The inference was that a State which did not intervene was not bound by the interpretation. To make this clear, Mr. Bourgeois proposed the following as an additional article in the draft scheme:

> The decision of the court is only binding on the litigant parties and in the case on which judgment has been given.

Continuing, the speaker said that the contention that intervention by nonlitigants would aid in the harmonious development of international law could be answered by the fact that

the court would contain representatives of the judicial systems into which the world is divided, and that its judgments would therefore be the result of the cooperation of entirey different thought and systems. He pointed out that the draft scheme of The Hague gave dissenting judges the right to state their opposition or their reservation without recording their reasons; that if they were permitted to state their opinions, together with their reasons, the play of different lines of judicial thought would clearly appear. Accordingly, he proposed an alteration in the text, making it read as follows:

If the judgment does not express wholly or partially the unanimous opinion of the judges those dissenting shall have the right to add an explanation of their views.

Ninth, the question of language, the speaker said, would be handled by Mr. Caclamanos. He added that the questions he had mentioned had been raised by the various Governments to whom The Hague draft for the court had been submitted; that he believed the council should adopt the draft as the committee of jurists had framed it, with the few modifications he had proposed, and submit it in that shape to the assembly. The suggestions of Mr. Bourgeois were approved.

OFFICIAL LANGUAGES OF THE COURT.

Reporting on the matter of official languages of the court, Representative Caclamanos, Greece, said that the committee's draft made French the official language of the court, allowing another language to be authorized by the court at the request of the parties. One of the Governments to whom the draft was submitted had called attention to the importance of English as an international language and the number of peoples and populations speaking English. The great treaties of peace had granted the same authority to the two languages, and they had been adopted by the league as its official languages. It was therefore desirable, said Mr. Caclamanos, to make English and French the languages of the court. Discrepancies and inconsistencies between the texts were to be carefully avoided; the texts of certain parts of the peace treaties had differences that might lead to difficulties.

Accordingly, the council decided—Mr. Bourgeois not voting—to substitute for article 37 of the draft to be presented to the assembly this wording:

The official languages of the court shall be French and English. If the parties are agreed that the whole case shall be conducted in French, the judgment shall be pronounced in this language. If the parties are agreed that the whole case should be conducted in English, the judgment shall be pronounced in that language.

Failing any agreement as to which language shall be used, the parties shall be allowed to use in their pleadings whichever of the two languages they prefer and the decision of the court shall be given in French and English. In this case the court shall at the same time announce which of the two texts shall be official.

At the request of the parties the court may authorize the use of a language other than French or English.

SUPPLEMENTAL SUGGESTIONS OF COMMITTEE OF JURISTS.

The council decided to refer The Hague committee's supplemental suggestion for conferences on international law to meet at fixed intervals, carrying on the work of the peace conferences of 1899 and 1907, fixing and codifying international law, and so forth, to the various Governments through the assembly for recommendation. The same procedure was decided upon for the committee's second recommendation in supplement to the

draft scheme, viz, for a high court of justice to try future crimes against the universal law of nations. The third supplemental recommendation concerned the International Law Academy at The Hague, and the council resolved to transmit it to the assembly for information and without comment, inasmuch as it was addressed to the organs of the league.

EXPENSES OF THE LEAGUE.

Representative de Leon, Spain, tendered a report on the expenses of the league, referring to the council's prior decision that the Brussels financial conference be asked to appoint a committee to determine how the league's expenses should be distributed among the members. This committee was appointed and had held several meetings at Paris and Brussels. It had not been able to decide on a definite and general basis for final apportionment of members' contributions. They proposed as a tentative measure for current expenses to estimate the ability of various members to pay on the basis of public revenue receipts for 1913—that being considered as the last normal year—and population. Schedules based on this method would be submitted to the assembly.

Senor de Leon then proposed this resolution, which was adopted:

The council, having examined the report of the commission of the international financial conference appointed to consider the principles to be adopted in apportioning the expenses of the League of Nations, recommends the assembly to appoint a commission to prepare detailed proposals which may be used as a new basis for the allocation of the expenses of the League of Nations.

INTERNATIONAL FINANCIAL CONFERENCE.

Representative Bourgeois made a report on the international financial conference at Brussels, stating that the world had never before made such an effort for mutual study of financial problems; that in bringing about this conference the league had demonstrated its capacity and possibility for beneficial action to the business world, which had up to the present doubted its usefulness; that the result of the conference was a preliminary diagnosis of a complex problem which would require long and continuous common effort; that the council, in agreement with the conference, considered economic and financial cooperation of all peoples essential in the present crisis; and that it was equally essential that each nation restore its own internal balance. The recommendations of the conference would, if followed, aid all States in restoring normal conditions.

The speaker believed that a permanent economic and financial organization to continue the study of matters considered at the recent conference should be suggested to the assembly. In the meantime the council should have a provisional financial body to aid it in carrying out certain measures proposed by the Brussels conference and to give the council technical advice.

These suggestions were adopted, a provisional financial committee for the council was authorized, and a letter addressed to the Governments transmitting and commending the results of the Brussels conference.

SECOND PUBLIC MEETING, TENTH SESSION, BRUSSELS, OCTOBER 28.

DISPUTE BETWEEN LITHUANIA AND POLAND.

At the second public meeting, tenth session of the council, the president read a report and submitted a resolution on the Poland-Lithuania dispute.

Mr. Askenazy, the Polish representative, thanked the council for its assistance, and expressed the hope that the dispute would soon be composed.

Prof. Voldemar, Lithuania, urged the importance of a complete and final solution, although considerable time might be required.

AALAND ISLANDS.

Representative Balfour, Great Britain, reported on the Aaland Islands, reviewing the proceedings to date, stating that the report of the first commission of jurists had been accepted, and that before proceeding further it had been decided to appoint another commission to study all other points involved, including the interests of all parties to the dispute. The United States had been asked to name a representative on the commission, three members of which had already been appointed and had begun preliminary studies.

A telegram had been received from the Landsting of the Aaland Islands showing a misunderstanding of the first commission's report, in that they thought it recommended the right of self-determination in addition to holding the dispute to be of international character. The commission had in fact been asked for no opinion on self-determination and had given none. The council had decided to advise the Aalanders of this fact, also that until the second commission reported no definite decision could be had, and that in the meantime the Aalanders should refrain from any action of irritation or provocative character.

MANDATES.

Representative Hymans, Belgium, reported on mandates, referring to the resolution adopted at San Sebastian, which in substance embodied two measures for immediate execution—first, the principal powers to be asked to inform the council of the names of the mandatories, the limits of territories subject to mandates, and their draft of proposals for the terms of mandates; second, the secretary general to be instructed to prepare a draft scheme of organization for the advisory commission on mandates mentioned in the last paragraph of article 22 of the league. Carrying out the first measure, Representative de Leon had addressed a letter to the principal allied powers informing them of the council's action, and the prime minister of France had replied, giving certain details as to allocation of mandates and negotiations in relation thereto, stating that he hoped soon to forward the draft on mandate A relating to former Ottoman territories; that negotiations had not been concluded as to mandates B and C, the powers not having reached an entire agreement.

The speaker said that if the powers should not finally agree the covenant authorized intervention by the council with a view to determining the degree of authority, control, or administration to be exercised by the mandatories, that the council would inform the assembly of the situation and that it was hoped the powers would reach complete agreement before the assembly ended on terms of mandates and submit them to the council. The council would reserve final report until the end of the assembly and the powers would be informed of the council's conclusions.

Carrying out the second measure, the secretary general had prepared a draft proposal for the permanent commission authorized by the last paragraph of article 22 of the covenant to receive and consider annual reports of mandatories and advise the council on all questions relating to mandates. The matter was so important, said the speaker, that he suggested delay of final action until the next meeting of council. In the meantime he would propose certain points for consideration, taken principally from the memorandum of the secretary general, to wit:

I. The mandates commission to be composed of 15 members, the mandatory powers—Australia, Belgium, France, Great Britain, Japan, New Zealand, South Africa—each to appoint 1 member, the remaining 8 members to be elected by the council from candidates proposed by nonmandatory States belonging to the league, these members not to be representatives of their Governments and to be chosen by reason of personal standing and qualifications.

II. No member of the commission to vote on reports of the mandatory power he represents.

III. Members to be assisted by not more than two technical advisers and no adviser to vote.

IV. The commission to regulate its own procedure, subject to the approval of council.

V. The commission to sit at Geneva.

VI. Members to receive an allowance of 100 gold francs per day during meetings and traveling expenses to be paid.

VII. Expenses of commission to be borne by league, with exception of sums paid to representatives of mandatory powers, which shall be repaid by the said powers to the secretariat.

The report was adopted and the proposals approved.

PERMANENT ADVISORY COMMISSION ON MILITARY, NAVAL, AND AIR QUESTIONS.

Representative Bourgeois, France, delivered a report on the military commission provided for by article 9 of the covenant, referring to the resolution of the council at Rome for its establishment and operation. This commission now presented through the speaker a report embodying its methods of work and answers to certain questions propounded by the council. One of these questions was as to the use of gases, and was submitted to the council for definite action, in view of certain elements, making it more than a purely technical matter. As to this, Mr. Bourgeois gave it as his opinion that the league could not countenance, even by silence, the use of a weapon solemnly prohibited by the treaties of peace (see article 171, treaty of Versailles). He cited the declaration of The Hague conference of 1907 that belligerents have no unlimited right to choose the method of warfare employed by them and that the use of poisons and poisonous weapons is prohibited. He claimed that these declarations followed international law, which had been recognized by the league covenant as the rule of conduct for Governments. The league should therefore condemn the use of gases in future wars and should submit to the Governments the question of enforcing this principle. He then proposed the following resolutions on the basis of the report of the military commission, known as the permanent advisory commission for military, naval, and air questions:

I. The method of organization and operation adopted by the commission is approved.

II. Whereas The Hague conference in 1907 declared in article 22 of the annex to the convention concerning the laws and customs of land warfare that the belligerents have no unlimited right with regard to the methods of war to be employed and that by article 23 certain prohibitions have been laid down, in particular the employment of poison and poisoned weapons;

Whereas these provisions have become a part of international law, which by the terms of the preamble of the covenant has been recognized by the league as an effective rule for Governments;

The council declares that the League of Nations can not without failing in its work for peace and humanity recognize the employment of gas, and inspired by the desire to decrease the evils of future wars decides to propose to the Governments the consideration of the penalties to be imposed, if necessity arises, upon nations who take the first step in infringing in this respect the rules of humanity imposed upon all and decides to seek with the assistance of the most competent scientists efficacious methods to prevent in due time the manufacture of gases.

III. The council instructs each subcommission of the military commission to request through its delegates the opinion of the respective Governments as to the organization to be placed at the disposal of the council of the League of Nations for the exercise of the right of investigation recognized by article 213, treaty of Versailles (reading as follows: "So long as the present treaty remains in force Germany undertakes to give every facility for any investigations which the council of the League of Nations, acting, if need be, by a majority vote, may consider necessary"); article 159, treaty of St. Germain; article 104, treaty of Neuilly; article 143, treaty of Trianon.

This step to be taken in order that the commission may be perfectly informed on the question when it comes up for discussion at its next meeting at Geneva.

Moreover, and with regard to all investigations into aerial forces—

Whereas the members of the League of Nations may not have air attachés of a military nature in the countries referred to in the above-mentioned articles of the treaties of peace on account of the suppression by these treaties of all military and naval aviation in these countries; and

Whereas it will be necessary to watch with special attention for the possible transformation of commercial aviation into a system adapted for war:

The council decides that in all cases where the right of investigation will be exercised, whatever may be the chosen method, it will be necessary to intrust the inquiries to aeronautic experts and in no cases to persons lacking special competence.

IV. The council does not think that the constitution of a central international bureau for traffic in armaments and munitions can be usefully considered until the convention of St. Germain is in force.

V. The council instructs the permanent advisory commission to examine the practical methods for obtaining rapidly when the council shall decide to do so all information regarding armaments and also the principles on which can be based future schemes for reduction of armaments.

VI. The council, while recognizing that the proposals made by the permament advisory commission for military, naval, and air questions, as regards the armaments of certain States requesting admission to the League of Nations, can for the moment be accepted, would draw the attention of the assembly to the necessity of a thorough preliminary examination before pronouncing on the admission of States whose geographical and political situation make it impossible to decide the extent of their forces, resources, and requirements.

In conformity with the opinions of the permanent advisory commission these States should in every case agree to submit to a further revision of their military, naval, and air status by the council, either on its own initiative or on a reasoned request from the States themselves.

The report and resolutions were agreed to.

The Official Journal contains at this point the report in full of the permanent advisory commission on which the council acted, as set out above.

INVITATION TO THE UNITED STATES TO JOIN IN DISCUSSIONS OF DISARMAMENT.

Next the journal gives the text of the council's invitation to the United States to participate in the work of the permanent advisory commission on military, naval, and air questions. It was to the effect that the council, on the unanimous recommendation of the commission, invited the United States Government to name representatives to sit on the commission in a consultative capacity during its study of the question of

reduction of armaments; that the decisions of the commission were purely advisory, were not in any sense binding, but represented the common technical judgment of the experts of many countries; that it would be understood that the presence of representatives of the United States would not commit that country to opinions finally expressed in the commission's report; that such report would be no more than a basis for consideration by the league; that, as in the case of the Brussels financial conference, the presence of an American representative, whose function was only to give and receive information, was an important factor in the success of the conference, it was felt that similar benefit would result from American representation at the meetings of the permanent advisory commission.

The invitation stated, further, that the problem of reduced armament was one to which public opinion in all countries attached the highest importance; that it was unnecessary to say that reduction of armaments was essential to the world's well-being; that unless some measure of relief could be found by international cooperation for excessive taxation due to armaments the general economic situation would grow worse; that the council hoped, in view of the American attitude toward competition in armaments, that the United States would not refuse to associate itself with the Governments of the members of the league in beginning the preliminary work necessary for ultimate success, and could lend to the present effort an assistance which could in no way encroach on its own perfect liberty of action. This invitation was not accepted.

SAAR BASIN GOVERNING COMMISSION.

Next the journal contains a report of the Saar Basin governing commission, dated October 25, 1920, and covering the period from July to October. The report stated, after reviewing the details of administration, that the newly established municipalities were drawing nearer to the government, that this would make the commission's task easier, that the local assemblies had not yet begun to function, and that the mission hoped to find in social welfare work common ground for cooperation in the interests of the inhabitants.

AALAND ISLANDS.

The journal notes the appointment of the commission on the Aaland Islands question, and that the United States had been asked to name a representative to serve on the commission.

ARMENIA.

The journal sets forth certain documents and correspondence relating to Armenia.

From these it appears that on March 12, 1920, the supreme council of the allied powers asked the council of the League of Nations if the latter would accept in the name of the league a mandate for the protection of Armenia. On April 11 the council replied that the constitution of an Armenian State in independence and security was an object worthy of the sympathy and effort of the civilized world. The league had not, however, the financial or military means needed for the protection of Armenia. The covenant did not contemplate mandates for the league itself but for States under the supervision of the league. The council expressed the hope that a power would yet be

found which would accept a mandate for Armenia. Protection for Armenia would necessitate certain preliminary conditions: (1) Evacuation by regular and irregular Turkish forces of the territory of the ancient Turkish Empire which would be given by the peace treaty to the Armenian Republic; (2) the constitution with the help of the western powers of an army capable of defending Armenia and of securing order; (3) guarantee of free access to the sea at all times through the port of Batoum; (4) establishment of a financial system allowing Armenia to live and to carry out the most indispensable public works, the Armenian loan to be issued under an international guarantee. The council was ready to submit the matter to the assembly, and asked the supreme council if the allied powers would meanwhile furnish a guarantee provisionally.

On April 26 the supreme council informed the league council that it had written President Wilson asking if the United States would accept a mandate for Armenia, and inviting him to define the boundaries of Armenia on the Turkish side.

On May 30, 1920, the United States Senate refused to accept the mandate for Armenia, but the President undertook to delimit the frontier between Armenia and Turkey.

On September 20, 1920, the league council asked the supreme council whether it desired to submit the Armenian question to the assembly, particularly the matter of a financial guarantee.

During its Brussels session in October, 1920, the league council received appeals from the Government of Armenia against acts of aggression by the nationalist Turks, asking the league to intervene to insure respect for the treaty of Sevres. The council replied that this treaty was not yet in force, and that the duty of enforcement belonged to the powers who signed it. The council forwarded the Armenian appeal to these powers (France, Great Britain, Italy, and Japan) reminding them of the prior correspondence, offering to resume consultation, and stating that the Armenian question would probably be raised at the assembly on the occasion of Armenia's request for admission to the league. On November 10, 1920, Mr. Lloyd-George replied that the allied powers were making every possible effort to give military help to Armenia, by providing her with war material and fuel, adding that he did not see that anything could be done to insure execution of the treaty until President Wilson had announced his decision on the Armenian frontier.

On November 25, 1920, the council sent a telegram to the Governments members of the league stating that the assembly had on November 22 adopted the following resolution, the assembly having begun its first session on November 15:

> The assembly, anxious to cooperate with the council in order to put an end in the shortest time possible to the horrors of the Armenian tragedy, requests the council to arrive at an understanding with the Governments with a view to intrusting a power with the task of taking necessary measures to stop the hostilities between Armenia and the Kemalists.

That the council had considered this resolution and had decided to communicate it to all league members and to the United States, the President of which had already undertaken to fix the Armenian frontier; that the council begged the

Governments to state whether they, either alone or conjointly with others, would undertake on behalf of the league this great humanitarian mission, a mission entailing no obligation of permanent nature; that the council would be grateful for a reply as soon as possible for transmission to the assembly before it adjourned.

A similar telegram was sent to President Wilson, stating that the invitation was to assume the task of stopping hostilities, and did not involve the acceptance of a mandate—that the fate of Armenia had always seemed to be of special interest to the American people.

President Wilson replied on December 1, 1920, that, although the United States Senate had declined the mandate, the United States had repeatedly declared its solicitude for the fate and welfare of the Armenian people in a manner justifying the assumption that America felt a special interest in Armenia; that he was without authority to offer or employ military forces, and any material contributions would depend on Congress, which was not in session and whose action could not be foretold, but that he was willing, on assurances of moral and diplomatic support from the principal powers, to use his good offices and personal services to end hostilities, relying on the league council to suggest the avenues through which his offer might be conveyed and the parties to whom it should be addressed.

The Spanish Government replied (date not given) that it would gladly cooperate in any action of a moral or diplomatic nature to further the plans of the league with reference to Armenia; that although not directly interested in the circumstances connected with the unfortunate position of Armenia, it looked with profoundest sympathy on these unhappy people, victims of so many misfortunes.

The Brazilian Government replied on November 30 that it would assist either alone or in conjunction with other powers in putting an end to Armenia's desperate position.

On December 2 the president of the league council, Mr. Hymans, wired President Wilson thanking him for agreeing to act as mediator between the Armenians and the Kemalists, advising him of the response of Spain and Brazil, which countries the council had asked to cooperate with him, stating that negotiations could be opened at once with the Armenian Government at Erivan, and that the council was taking steps to ascertain the best method of reaching the Kemalists, of which he would be advised later.

On December 3 Australia replied, asking to be advised as to the methods proposed for ending hostilities, and as to the nature of the action desired from Australia.

Haiti replied on December 3, regretting that Haiti was not in position to associate itself otherwise than in spirit in putting down hostilities, stating that it shared the feeling of the assembly and desired that one or more members of the league should undertake this humanitarian task.

Nicaragua replied (date not given), stating that Nicaragua accepted the resolution of the league with a view to ending the Armenian tragedy (here the journal notes that the text was defective).

Panama replied (date not given), consenting to cooperate and to contribute to the costs of any expedition on condition that other States members contributed proportionately to population.

Sweden replied (date not given), expressing sympathetic interest, but stating that on account of the distance of Armenia and the complex nature of the problem Sweden had not the power to undertake the task indicated—that the generous offer of President Wilson seemed to be the best solution.

Norway expressed sympathy, but declined for same reasons as those advanced by Sweden (date not given).

Denmark expressed sympathy (date not given) and said the Danish Government would collaborate if the complexity of the problem and incalculable difficulties of intervening in a country so distant was not beyond its strength, and so forth.

Uruguay wired (date not given) that the Government of Uruguay heard joyfully of the reply of the United States and Brazil for joint moral action to end the situation in Armenia and hoped for its complete success.

On December 7 France replied, expressing sympathy and readiness to second the efforts of the three mediatory powers, United States, Brazil, and Spain.

Honduras replied (date not given), assuring moral support.

Italy replied (date not given), stating that the Italian Government felt the deepest interest in Armenia, to whom Italy was bound by ancient ties, and would communicate a decision in shortest time possible.

On November 29 Peru promised cooperation with all means in its power.

On December 1 Cuba expressed sympathy, agreed to consider the matter, and to send decision through Cuban delegation in assembly.

On December 2 British Government replied that it noted the acceptance by President Wilson of the task of mediation; that it was not in position to accept any independent mission with regard to Armenia if that was contemplated by the council's telegram, but that the President of the United States might rely on it to second his efforts in every way by the moral and diplomatic support for which he appealed.

The Kingdom of Serbs, Croats, and Slovenes replied on December 1 deeply regretting inability to participate in this mission of mercy, because it felt that it must concentrate every effort on its own consolidation, and was not yet in position to sign the treaty of Sevres entered into with Turkey by which the State of Armenia was created.

Bolivia replied—date not given—noting the resolution with pleasure, and cordially agreeing that one of the great powers which possessed the means of making its decisions respected should assume the humanitarian task of putting an end to the unhappy situation of the Armenians.

Venezuela's reply—date not given—deplored events in Armenia, expressed willingness to help as far as possible, but stated that owing to her geographical situation and other circumstances Venezuela was unable either alone or in collaboration to fulfill the proposed mission.

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By wire of December 3 San Salvador stated that the Armenian tragedy should end; that a great power should undertake the humane mission proposed; that if the other nations consented to this procedure Salvador would gladly lend moral support.

The Belgian Government replied on December 4 that it had already intervened in favor of Armenia; that it was determined to take all necessary diplomatic action in her behalf; that it noted with joy the decision of President Wilson to lend his good offices; that with a view to facilitating his action it had instructed the Belgian representative at Constantinople to ascertain the best method of transmitting Wilson's offer of mediation.

The Guatemalan Government wired—date not given—its conviction that steps must be taken and its adhesion to the measures decided on by the council.

Chile's reply—date not given—assured all moral and diplomatic assistance possible.

India made the same reply as Great Britain; date not given.

For the sake of continuity this account as to Armenia has been projected beyond the tenth session of the council and into the time of the first session of the assembly, which will be taken up later.

Before describing the first session of the assembly the proceedings of the eleventh session of the council, which began the day before the assembly met and ran along with it, will be given.

ELEVENTH SESSION OF THE COUNCIL, REPRESENTATIVE HYMANS, PRESIDENT, HELD AT GENEVA, NOVEMBER 14 TO DECEMBER 18, 1920.

DISPUTE BETWEEN LITHUANIA AND POLAND.

The council decided at its eleventh session, held at Geneva, to take a plebiscite in the Vilna district, sovereignty over which was the issue between Lithuania and Poland.

The council approved a proposal that States sending troops for the league to keep order during the voting, etc., should advance the sums necessary for transport and maintenance, and that all expenses outside of the normal charge of maintenance in their own territory should be repaid by the league out of its 1922 budget.

INTERNATIONAL FORCE FOR VILNA.

Gen. Clive, Col. Requin, and Col. Benites, of the British, French, and Spanish armies, respectively, comprising the committee on an international force for Vilna, reported that in accordance with instructions from the council of the league on November 21, 1920, they had adopted the following measures in forming the international force which the council proposed to send to the Vilna district for police purposes in connection with the Poland-Lithuania controversy.

1. The force to consist of one company of Belgian troops and one machine gun section, two companies British troops and one machine gun section, two companies Spanish troops and one machine gun section, two companies French troops and one machine gun section.

The dispatch of these troops had already been agreed to by the Governments concerned, and the following contingents would be added, circumstances permitting: One Danish, one Dutch, one Norwegian, and one Swedish, each with one machine gun section, provided the respective Governments consented, each contingent to be of normal strength, with unified command; pay and allowances to be as nearly

as possible the same as already granted troops stationed in the district where the plebiscite was to be held.

2. The international force thus composed to be under command of Col. Chardigny.

3. British and French contingents, supplied from Danzig and Nemel, respectively, to go to Vilna simultaneously December 1, by rail without touching German territory and to be arranged by Col. Chardigny in consultation with Polish and Lithuanian authorities; the other contingents, their Governments consenting, to go by sea so as to reach Danzig as soon as possible after December 1, on two transports—one arranged for by Spanish Government, carrying Spanish, Belgian, and Dutch contingents; the other provided by Norwegian, Swedish, and Danish Governments, carrying their own contingents.

4. Two possible solutions as to supplies, according to whether Danzig or Warsaw chosen for base: In the first case, since British base already at Danzig, sufficient if officer commanding base authorized to advance provisions, or to notify Governments concerned if supplies not available. In second case duties of base commandant would have to be intrusted to some authority other than Polish. In any case it would be necessary to ascertain views of British and French Governments.

5. League to be reimbursed by Poland and Lithuania for sums advanced to cover expense of taking a popular expression of opinion on a proportion based on results of that expression.

INSTRUCTIONS FOR MILITARY COMMISSION ON PLEBISCITE IN VILNA DISTRICT, APPROVED BY COUNCIL DECEMBER 1, 1920.

The council on December 1 decided to appoint a military commission on the Vilna plebiscite, the commission to consist of five members, Col. Chardigny to be chairman and at same time commander of the international force.

The commission to ascertain whether Poland and Lithuania could agree as to method of plebiscite and area to be affected.

Commission to notify council by wire as soon as possible and not later than 15 days after arrival, general method of taking plebiscite and area to be covered, having regard as far as possible to agreed wishes of the parties. If commission does not agree, its various proposals with reasons to be sent council which would give a decision.

The commission to devise measures insuring procedure approved by council; to record results of plebiscite after satisfying itself as to their regularity; to draw up report and submit recommendations to council for final allotment of disputed territory.

Commission to decide if any traffic should be allowed in plebiscite area, and if so, under what conditions.

Commission to keep informed as to political situation in that part of Europe. The international force simply to perform police duties. In case of conflict between commission and Polish, Lithuanian, or any other Government making plebiscite impossible, or in case of fighting in plebiscite area having this effect, commission authorized to propose to the council that the military force be withdrawn. In case of emergency commission to take necessary measures and Col. Chardigny to be responsible for their execution.

CIVIL COMMISSION ON VILNA PLEBISCITE.

The council on December 1 named M. von Sydow, of Sweden, and Gen. Burt, of Great Britain, civil commissioners to organize the Vilna plebiscite, and decided to ask the Italian and Spanish Governments to propose commissioners from their countries. The League of Red Cross Societies was requested to make medical arrangements for the international force.

COUNCIL COMMITTEE ON LITHUANIAN-POLISH DISPUTE.

Representatives Bourgeois, Ishii, and de Leon were appointed on December 18 to deal with the Lithuanian-Polish dispute between the meetings of the council.

PROVISIONAL ECONOMIC AND FINANCIAL COMMITTEE.

The council on November 14 approved appointments proposed by Representative Hymans, acting president, for the financial section of the provisional economic and financial committee, and it was agreed that an American should later be requested to become a member of this section. Mr. Ador was appointed president of the provisional economic and financial committee. The council also approved appointments proposed by President Hymans for the economic section of this committee.

ARMENIA.

On November 24 the council considered measures necessary to carry out the assembly resolution of November 22 on Armenia.

The council decided to inform all States members of league of the assembly's resolution, and also that it was communicating with the President of the United States. The council concluded it was essential to appeal to the United States, in view of the special authority conferred on the President of the United States by his acceptance of the task of fixing the Armenian frontier and in view of the moral importance of the intervention requested. The council took into account the refusal of the United States to accept a mandate for Armenia, but did not consider this incompatible with the acceptance of a humanitarian mission which the United States appeared specially qualified to carry out. Then followed the telegram to President Wilson and his reply, both of which have been before noted.

On December 1, 1920, the council decided:

(1) To thank the President of the United States and to acquaint him with the replies from Spain and Brazil.

(2) To thank the Spanish and Brazilian Governments, acquainting them with the reply of the President of the United States and asking them to communicate with him.

(3) To ask these powers to inform the Armenian Government that they consented to mediate.

(4) To inform these powers that the council would endeavor to communicate with the Kemalists.

(5) To communicate for this purpose with the Governments having a high commissioner at Constantinople.

(6) To advise all members of the league of the situation.

MANDATES.

The council, after considering a statement by Mr. Albert Thomas, head of the international labor office, decided on November 26 to attach to the permanent mandates commission an expert chosen by that office, who would have the right to be present in an advisory capacity at all meetings when labor questions in mandated territories were discussed.

DRAFT MANDATES.

On December 14, 1920, Representative Balfour presented the draft mandates prepared by the British Government for the following former German possessions:

Southwest Africa, Samoa, island of Nauru, possessions in Pacific south of Equator other than Samoa and Nauru.

Mr. Balfour requested that these mandates be submitted to legal advisers, and the council decided that the legal mandate section of the secretariat should consider the mandates, consulting other legal experts on any points deemed necessary.

On December 17 the council confirmed these mandates and defined their terms. They are mandates of type C.

MANDATE FOR GERMAN SOUTHWEST AFRICA.

On the subject of the mandate for German Southwest Africa the council passed the following resolution:

Whereas by article 119 of the treaty of peace with Germany signed at Versailles June 28, 1919, Germany renounced in favor of the principal allied and associated powers all her rights over her overseas possessions, including therein German Southwest Africa; and

Whereas the principal allied and associated powers agreed that in accordance with article 22, part 1 (covenant of the League of Nations), of the said treaty a mandate should be conferred upon His Britannic Majesty to be exercised on his behalf by the Government of the Union of South Africa to administer the territory aforementioned and have proposed that the mandate should be formulated in the following terms; and

Whereas His Britannic Majesty, for and on behalf of the Government of the Union of South Africa, has agreed to accept the mandate in respect of the said territory and has undertaken to exercise it on behalf of the League of Nations in accordance with the following provisions; and

Whereas by the aforementioned article 22, paragraph 8, it is provided that the degree of authority, control, or administration to be exercised by the mandatory not having been previously agreed upon by the members of the league shall be explicitly defined by the council of the League of Nations.

Confirming said mandate defines its terms as follows:

ARTICLE 1. The territory over which a mandate is conferred upon His Britannic Majesty for and on behalf of the Government of the Union of Southwest Africa (hereinafter called the mandatory) comprises the territory which formerly constituted the German protectorate of Southwest Africa.

ART. 2. The mandatory shall have full power of administration and legislation over the territory subject to the present mandate as an integral portion of the Union of South Africa and may apply the laws of the Union of South Africa to the territory, subject to such local modifications as circumstances may require.

The mandatory shall promote to the utmost the material and moral well-being and the social progress of the inhabitants of this territory, subject to the present mandate.

ART. 3. The mandatory shall see that the slave trade is prohibited and that no forced labor is permitted, except for essential public works and services, and then only for adequate remuneration.

The mandatory shall also see that the traffic in arms and ammunition is controlled in accordance with principles analogous to those laid down in the convention relating to the control of the arms traffic, signed on September 10, 1919, or in any convention amending the same.

The supply of intoxicating spirits and beverages to the natives shall be prohibited.

ART. 4. The military training of the natives otherwise than for purposes of internal police and the local defense of the territory shall be prohibited. Furthermore, no military or naval bases shall be established or fortifications erected in the territory.

ART. 5. Subject to the provisions of any local law for the maintenance of public order and public morals, the mandatory shall insure in the territory freedom of conscience and free exercise of all forms of worship, and shall allow all missionaries, nationals of any State member of the League of Nations, to enter into, travel, and reside in the territory for the purpose of prosecuting their calling.

ART. 6. The mandatory shall make to the council of the League of Nations an annual report to the satisfaction of the council containing full information with regard to the territory and indicating the measures taken to carry out the obligations assumed under articles 2, 3, 4, and 5.

ART. 7. The consent of the council of the League of Nations is required for any modification of the terms of the present mandate.

The mandatory agrees that if any dispute whatever should arise between the mandatory and another member of the League of Nations relating to the interpretation or the application of the provisions of the mandate, such dispute, if it can not be settled by negotiation, shall be submitted to the permanent court of international justice provided for by article 14 of the covenant of the League of Nations.

The present declaration shall be deposited in the archives of the League of Nations. Certified copies shall be forwarded by the secretary

general of the League of Nations to all powers signatory to the treaty of peace with Germany.

MANDATES FOR GERMAN SAMOA, NAURU, GERMAN PACIFIC POSSESSIONS SOUTH OF EQUATOR, GERMAN PACIFIC POSSESSIONS NORTH OF EQUATOR.

Mandates on similar terms were confirmed and defined for German Samoa, Island of Nauru, German possessions in Pacific Ocean south of Equator, except Samoa and Nauru, all of which were conferred on His Britannic Majesty, the mandate for German Samoa to be exercised in his behalf by New Zealand, that for German possessions south of Equator by Australia.

Japan was confirmed in a similar mandate for the former German possessions in the Pacific north of Equator. Viscount Ishii reiterated for his Government the claim theretofore advanced that a clause should be included in "C" mandates assuring equal opportunities for trade and commerce, saying that in the spirit of conciliation and cooperation Japan would accept the mandate in its present form. This was not to be considered as an acquiescence in the submission of Japanese subjects to discrimination and disadvantage in mandated territories or as an abandonment of the claim that Japanese rights and interests therein should be fully respected.

I have indicated the terms of these mandates to show that the territories involved were not parceled out like conquered provinces to be owned and exploited in the interest of the victors, but were assigned to certain powers to be governed in the name and under the auspices of a League of Nations by these powers as trustees for civilization and in the interest of the inhabitants. Thus, what was a fruitful source of war in the past will be permanently eliminated when the mandate system is put into practice.

At the council meeting of December 17 the representative of Italy asked in the name of his Government that the mandatory powers be requested to state how they would liquidate ex-enemy property in the mandated territories so that the nationals of the various States could compete as purchasers. The council directed the transmission of this request to the mandatory powers.

DANZIG.

The president announced that Col. Strutt, acting high commissioner for the league at Danzig since the departure of Sir Reginald Tower, would leave December 15, and suggested that Mr. Attolico, director of communications and transit in the secretariat of the league, be appointed provisionally until a permanent commissioner could be selected. Adopted. On December 17 the council, on Mr. Balfour's motion, appointed Gen. Haking high commissioner at Danzig for one year.

COMMISSION ON ARMAMENTS.

The third session of the permanent advisory commission on military, naval, and air questions was held at Geneva November 25–December 4, 1920. The parts of its report adopted by the council related to the council's right to investigate conditions in ex-enemy countries; a specimen questionnaire for exchange of information regarding armaments provided in the covenant and military regulations for States seeking admission to league.

PERMANENT COURT.

On December 14, 1920, the council declared its acceptance of the statute creating and defining the permanent court of inter-

national justice, the assembly having unanimously approved it on December 13, 1920.

COMMITTEE ON EXPENSE APPORTIONMENT.

A committee was appointed on December 14 to study the apportionment of the league's expenses.

AMENDMENTS TO COVENANT.

The council decided on December 17 that league members could submit draft amendments to the covenant to the committee appointed to consider them, until March 31, 1921. These were the amendments to be considered by the assembly of 1921, the council having been requested by the assembly of 1920 to take charge of their presentation and fix a time limit for their submission.

SAAR BASIN GOVERNING COMMISSION.

The council in view of the expiration of the terms of four members of the Saar Governing Commission on February 13, 1921, and of the possible failure of the council to meet until after that date, authorized their continuance until it could take up the question of their successors.

PRESIDENCY OF THE COUNCIL.

On motion of Representative Bourgeois, the council decided to keep the rotary system for the presidency, following the alphabetical order, giving first honor to Brazil and Japan, which countries had not yet had the office.

ARMENIA.

On December 16 the President of the United States, through Acting Secretary of State Hon. Norman Davis, wired the president of the council that he had designated Hon. Henry Morgenthau as his personal representative, who was prepared to carry out the proffer of mediation in the Armenian matter as soon as practicable; that he was still awaiting advices from the council as to the avenues through which this proffer should be conveyed and as to the parties with whom his representative should get in contact as well as assurances of diplomatic and moral support from the principal powers on the council.

On December 18 the prime minister of Great Britain, through Lord Curzon, wired the president of the council that after consulting with British representatives at Constantinople and Tiflis he felt President Wilson's best course would be to wire his instructions to the American high commissioner at Constantinople; that it was reported Armenia had made peace with the nationalists and was under control of soviet Russia and the advanced Dashnac party.

The council adjourned December 18.

ARMENIA.

The league journal shows that on January 15, 1921, Siam replied to the council's telegram of November 26, 1920, that owing to the geographical situation Siam could take no military measures, but would join all the league members in a common effort for Armenia.

On January 22, 1921, President Wilson acknowledged receipt of the British suggestion as to Armenia, and replied that he did not deem it practicable; that pending receipt of information and assurances requested in his telegram of November 30, 1920 (received by council December 1, 1920), he deemed it wise

to state the problem as he viewed it. The immediate cause of the trouble was the treaty of Sevres, the failure of certain factions to accept it, and of the Allies to enforce it. Over this he had no control, and any measure he might take would require the hearty cooperation and support of the allied powers. The dependence of Armenia on soviet Russia was another matter over which the President was without control, and in curing which he would again require the moral and diplomatic support of the powers. The distressful condition of Armenia was but one detail of the vast Russian problem.

The bolsheviks were in the President's view a violent and tyrannical minority, but the problems their success had raised could not be solved by military action from the outside. The recent tragical events on the Polish front and in the Crimea showed that armed invasion was not the way to bring peace to the Russian people. The Russian revolution, beneficent in its main purposes, must be developed to a satisfactory conclusion by the Russians themselves. Help may come from the outside when voluntarily received, but military coercion would not avail.

Elements in present situation gave hope. The world is war weary, and the conviction grows that the military method will not solve reconstruction problems. At present there was no overt civil war in Russia, the problem being now that of the relations between central Russia and surrounding smaller national groups. Border unrest and instability resulted from bitter and mutual distrust, the struggling new nationalities formerly a part of Russia being slow to disarm for fear of new bolshevik aggression. The soviets claim that fear of new attacks prevents them from disarming. The greatest impediment to reconstruction in these border territories is the utter confusion between offense and defense. Unless this distinction is clearly made and understood there is small hope of peace or of a clear perception of who is responsible for new wars. The present moment offers, therefore, a peculiarly pressing challenge to an attempt which would be the logical development of mediation in Armenia.

These small and struggling border states, continued President Wilson, would not attack Russia unless promised support from the stronger powers. The sine qua non of an attempt at pacification must therefore be a public and solemn engagement among the great powers not to take advantage of Russia's stricken condition, not to violate the territorial integrity of Russia, not to invade Russia nor permit others to do so. Such a public agreement, relieving the dominant Russian party from outside menace, would clearly place on it responsibility for any new war on the Russian border.

President Wilson concluded by saying that if the principal powers represented on the council were in accord with him in this matter and would assure him of their moral and diplomatic support he would instruct his personal representative, Mr. Morgenthau, to proceed at once.

On January 28 Representative da Cunha, acting president of the council, acknowledged President Wilson's communication with thanks, stated that it would be submitted to the council at its next meeting, and had already been sent to the principal allied powers, who had already answered that they would shortly confer on the treaty of Sevres.

THANKS FROM NEW STATES ADMITTED TO LEAGUE.

The Official Journal contains communications of thanks from following States for admission to the league: Austria, Luxemburg, Bulgaria, Costa Rica, Finland, and Albania.

CONTRIBUTIONS TO TYPHUS CAMPAIGN.

The journal shows these contributions in pounds by countries to the campaign against typhus:

Great Britain	50,000
Belgium	1,000
Greece	10,000
Persia	2,000
Bulgaria	27
Siam	1,000
Austria	42
Japan	5,316
Switzerland	2,150
Sweden	3,000

FIRST ASSEMBLY OF THE LEAGUE OF NATIONS. HELD AT GENEVA NOVEMBER 15–DECEMBER 18, 1920.

The initial session of the first assembly of the League of Nations was declared in order by Mr. Hymans, Monday, November 15, 1920, at 11 a. m. The council had decided that its presiding officer at the time, who in this case was Mr. Hymans, should be provisional chairman at the opening of the assembly.

The 41 member States were all represented.

Mr. Motta, president of the Swiss Confederation, welcomed the assembly in behalf of the Swiss people and Government. He expressed gratitude and appreciation for the selection of Geneva as the permanent seat of the league. He uttered the hope that the United States would before long take its rightful place in the league, saying in this connection:

> The country which is a world in itself and is blessed with all the riches of earth—the glorious democracy which has absorbed all races and given them a common language and government—the people which is influenced by the highest ideal and is affected by every advance made in material progress—the State which hurled the decisive weight of its resources and armaments into the scales, and thus decided the future of continents and of Europe in particular—the native land of George Washington, father of liberty, and of Abraham Lincoln, champion and martyr in the cause of brotherhood; this country, I say, can not and surely does not intend forever to turn its face against the appeal made to it by nations who while retaining their independence and sovereign rights intend to cooperate for the peace and prosperity of humanity.

He said that the League of Nations would live, that already it was impossible to think of the world without it. Miracles, however, could not be expected from it. He added that the peace treaties would in part be impossible of execution without the league, that while its material sanctions might be of doubtful power, it already possessed the penetrating moral force of international consciousness. The permanent court of international justice would open the door to the solution of disputes between nations. The more universal the league became the greater would be its authority and impartiality.

The first assembly, he asserted, would have the opportunity to aid the league in attaining its ideal of universality, of reconstruction, and final peace. The league was not an alliance of governments but an association of nations. The brotherhood of the trenches had destroyed the fanaticism of opposing habits of thought, had destroyed false pride, had become rooted in the fields and workshops. Switzerland, the oldest democ-

racy in the world, had entered the league by a vote of its people and saluted her brother nations with joy.

Mr. Hymans replied, stating in the course of his remarks that the meeting of the assembly in which 41 States were represented was proof of men's yearning for an equitable, lasting, and peaceful organization of international relations. He said that the league was not a superstate aiming at absorption of national sovereignties or their reduction to bondage; that its aim was to establish friendly intercourse between independent States and frontiers of mutual understanding and sympathy.

Mr. Hymans was elected president of the assembly and returned thanks both for his country, Belgium, and himself. The Brazilian delegation proposed that a wreath of flowers be placed on the statue of Rousseau. Carried.

Mr. G. N. Barnes, delegate from Great Britain, moved that a telegram be sent President Wilson expressing the hope of the assembly that he would soon recover from his illness.

In putting the motion the president said that the members were fulfilling a duty very dear to them in sending this expression of friendship to the illustrious statesman who in Paris spent so much of his time and force in instituting the League of Nations, "whose spiritual father he may be considered to be." The motion was agreed to.

PROCEDURE.

Provisional rules of procedure were adopted with the understanding that they could be modified at any time.

COMMITTEES.

It was moved and carried that six committees be appointed from the assembly to consider questions on the provisional agenda, each State to be represented on each committee.

TUESDAY, NOVEMBER 16—ORGANIZATION.

Tuesday, November 16, was spent in discussing and determining organization and procedure of the committees already authorized.

WEDNESDAY, NOVEMBER 17—WORK OF COUNCIL.

Wednesday, November 17, was spent mainly in discussion of the report of the secretary general on the work of the council.

THURSDAY, NOVEMBER 18—VICE PRESIDENTS—WORK OF COUNCIL.

On this day the president and vice presidents of the various committees were announced, the presidents becoming ex officio vice presidents of the assembly. The assembly then elected 6 additional vice presidents, making 12 vice presidents in all for the assembly, who constituted the official bureau of the assembly. Mr. Motta, president of the Swiss Confederation, was elected honorary president of the assembly.

WAR PRISONERS.

Discussion of the work of the council was resumed, Dr. Nansen giving an impressive and detailed account of his labors as the representative of the council in the matter of repatriating prisoners of war. He alluded in warmest terms to the efforts of the international committee of the Red Cross in this regard as well as those of other agencies, including the American Young Men's Christian Association, and of the Governments concerned, and concluded with these striking sentences:

But before I close my remarks I think it would be opportune if I drew the attention of the assembly to one aspect of the question which

has struck me with increasing force as I have gone more and more deeply into the problems with which I have been faced. This is the appalling amount of suffering which has been undergone by the hundreds and thousands of men who have been made prisoners during the Great War. It would be difficult for anybody who has not had personal experience of it to understand the despair which settles on the minds and in the hearts of men who have been prisoners, cut off from all communication with their homes and families for periods of four, five, or six years. Never in my life have I been brought into touch with so formidable an amount of suffering as that which I have been called upon to endeavor to alleviate. But this suffering has been only an inevitable result of a war such as that which convulsed the world in 1914. It is right for the league to deal with questions such as that of bringing the prisoners to their homes, but the real lesson which I have learned from the work which I have undertaken is this, that it is vital for the league to prevent forevermore a recurrence of catastrophes from which such incalculable human suffering must inevitably result.

FRIDAY, NOVEMBER 19, 1920.—WILSON'S REPLY—WORK OF COUNCIL.

At the beginning of the day's session a reply from President Wilson to the telegram of the assembly to him was read as follows:

The greeting so graciously sent me by the League of Nations through you has gratified me deeply. I am proud to be considered as having played any part in promoting the concord of nations by the establishment of such an instrumentality as the league, to whose increasing usefulness and success I look forward with absolute confidence. I beg to be permitted to extend to the assembly my personal greetings along with an expression of my hope and belief that their labors will be of enduring value to the whole civilized world.

The remainder of the day was consumed principally in discussing the work of the council.

SATURDAY, NOVEMBER 20, 1920.—REPORT OF COUNCIL.

This day was devoted mainly to discussion of the work of the council as detailed in its report through the secretary general and of the proposal of a special committee on registration of treaties and on the use of Spanish as an official language of the assembly.

MONDAY, NOVEMBER 22, 1920.—ARMENIA.

Discussion of Armenia consumed this day and resulted in the unanimous adoption of a motion by M. Viviani, of France, to request the council to take up the matter of ending hostilities by intrusting the task of negotiation to some country, and of a motion by Lord Robert Cecil, of South Africa, and Mr. La Fontaine, of Belgium, that a committee of six members of the assembly consider the same problem and report to the assembly as to steps necessary to secure peace.

TUESDAY, NOVEMBER 23, 1920—POLAND—LITHUANIA—MORE PUBLICITY FOR COUNCIL.

The assembly discussed and adopted motions for publication of all documents in the Poland-Lithuania dispute and requesting consideration by the council of greater publicity for its proceedings.

WAR PRISONERS—TREATY REGISTRATION.

The assembly unanimously adopted a motion thanking the international committee of the Red Cross, its president, Mr. Ador, and Dr. Nansen for efforts in behalf of prisoners of war. It also adopted a motion to request the council to examine by special committee the legal scope of article 18 of covenant relating to registration of treaties and report to next assembly.

POLAND—RUSSIA.

The motion of Delegate Barnes to ask the council why it did not interfere to prevent hostilities between Poland and soviet

Russia and calling to its attention probable renewal of hostilities during the coming year was deferred for later discussion.

TUESDAY, NOVEMBER 30, 1920—PERMANENT PROCEDURE.

The time intervening since the last meeting on Tuesday, November 23, had been spent in committee work.

The assembly took up the report of committee No. 1, on permanent rules of procedure.

Delegate Ferraris (Italy) presented the report, stating that it was the work of a subcommittee composed of Delegates Viviani (France), chairman; Blankenberg (South Africa); Menezes (Brazil); Ishii (Japan); Wurtemberg (Sweden); Blanco (Uruguay); Ferraris (Italy), and had been based mainly on (1) the covenant, (2) council's rules of procedure, (3) assembly's provisional rules of procedure, (4) procedure in several parliaments, (5) draft amendments from several assembly delegations.

Dr. Ferraris said that one of the objects in the mind of the committee was to define the respective positions and powers of the States members of the league, the delegates representing them, the council, and the secretariat general; that the guiding principle throughout had been that the States members of the league were the origin and source of the whole organization; that the assembly was the sovereign but intermittent power of the league; that the council was the permanent power, and the secretariat general was its permanent executive organ.

Hence. it had been provided in the procedure submitted that a majority of the States members of the league could at any time summon a session of the assembly, settle the place of meeting, propose questions to be placed on the agenda, name their representatives and their substitutes in the assembly; but once the members of the league have exercised this power, the assembly enters into supreme exercise of its functions.

The assembly is to meet by right once a year on the first Monday of September, shall be able to designate its place of meeting, shall choose its president and vice presidents, shall alone be competent to verify the credentials of its representatives, shall draw up its agenda as it wishes, as well as composition and work of committees. To the president is assigned the task and means of expressing and realizing the powers of the assembly.

The rules cover the previous question, closure, voting on amendments, system of voting in cases relating to individuals.

The council is to carry out the results of the assembly's discussions. The council or its president may convene the assembly, summon it, approve agenda prepared by the secretary general, present its reports to assembly, and can always intervene in debate through one of its members to make an explanatory statement.

The secretary general as executive officer is to collect the opinion of members of the league with regard to summoning an extraordinary session of the assembly, to communicate the order convening the session to the different States' members, to prepare the agenda, to register the names of representatives and their substitutes, to present his report to the assembly, and to execute the decisions taken either by the assembly or the council.

In calculating periods of time consideration is always to be given far-away countries and the cables used in matters of urgency and importance.

BUDGET.

The budget for the ensuing fiscal year and the report and accounts for the past fiscal year will be submitted annually, the report provided for the approval of the assembly in September, the assembly to consider them after examination by a special committee, which will exercise the financial supervision normally belonging to a parliamentary body.

SPANISH AS A THIRD OFFICIAL LANGUAGE.

As to the addition of Spanish as the third official language of the league, the report continued, serious difficulty arose. The League of Nations represented the principle of equality among States great and small, and a grant of privilege to any one would undermine this principle. It could not be gainsaid that there are two languages in the world in general use in intellectual and economic intercourse between nations—languages which obtained official recognition from the fact that the covenant and treaty of Versailles were drafted in French and English. The adoption of about 20 languages on equal terms would cause general confusion. The Spanish representatives had, in a spirit of self-sacrifice and devotion to common welfare, agreed not to insist on the addition of Spanish at this session, but would reserve the question for the future.

Inasmuch, however, as one of the most distinguished Spanish-speaking representatives had told the assembly—in purest French—that some of his colleagues could best express themselves in Spanish and as the same possibility might arise as to others, it had been decided to allow every representative to speak in whatever language he preferred, furnishing either a French or English translation, and to allow each country to circulate league documents in its own language at its own expense.

The committee had reserved for further examination the questions of permanent committees and of the selection of the new permanent members of the council.

The committee's report with a few amendments was adopted.

THURSDAY, DECEMBER 2, 1920—ARMENIA.

The president announced that the council, in compliance with the assembly's action of November 22, had appealed to the governments in respect to Armenia, and also to the President of the United States. He read the replies of President Wilson, agreeing to mediate, and of the Spanish and Brazilian Governments, agreeing to assist. (Text of the telegrams appear in council proceedings.)

AMENDMENTS TO COVENANT.

It was decided not to act on amendments to covenant at the present meeting, but to ask the council to refer these and others submitted within a certain period fixed by the council to a special committee for study and report to next assembly.

SATURDAY, DECEMBER 4, 1920—RELIEF FOR CHILDREN—ARGENTINE AMENDMENT.

The president read a proposal from the Swiss delegation, that the council be requested to appoint a high commissioner

to investigate best means of cooperating with existing international associations in relief of stricken children in war-affected countries, and a proposal from the Argentine delegation that all States in the community of nations be considered members of the league unless they expressly decline. The question of placing these proposals on the agenda was deferred until a subsequent meeting.

POLISH-RUSSIAN CONFLICT.

The assembly took up the motion of Delegate Barnes, asking the council why it had not intervened in the Polish-Russian conflict, and so forth.

Mr. Barnes (Great Britain) in supporting his motion said that even if there had been no specific authority in the covenant the council would have been justified in intervening by the bare facts of the situation—the facts that war was raging in an area where peace was vital to the rest of Europe and that the European peoples were longing for peace—if there had been the slightest chance of success, and he hoped to show that there was. He believed, however, the covenant contained specific authority. Article XI reads: "Any war, whether immediately affecting any of the members of the league or not, is hereby declared a matter of concern to the whole league, and the league shall take any action that may be deemed wise and effectual to safeguard the peace of nations." The council, he said, was by that article under specific obligation to intervene. He admitted there might be cases where such action was not possible, for instance, the case of war between United States and Mexico, where considerations involving the Monroe doctrine would arise and where intervention might do more harm than good; or, for instance, a war between two small, remote States which might be allowed to run its course without disturbing or threatening general peace, but the Polish-Russian conflict was of different nature. It was occurring on the very edge of European civilization, in an area swept by four years of recent conflict, among a people enfeebled, impoverished, and diseased.

The speaker said that in February the soviet government had declared that it did not wish to fight Poland; that they had recognized the Polish Republic; that any causes of quarrel were capable of adjustment, and that they were willing and anxious to adjust them; that the council met on February 13, when negotiations had been opened between Russia and Poland as a result of this declaration; that those negotiations continued for a month, but the council did nothing, so far as he knew, to take advantage of the opening.

He said that in May the soviet government advised the council that Poland was making war without having given an opportunity of negotiation, and had seized Russian territory; that thus another chance of mediation was afforded regardless of the truth of these statements. He added that a month earlier the soviet government had circularized the allied governments on this subject and that it was at that time evidently in the interest of Russia that intervention be accepted, but that this opportunity was also ignored.

A month or two later, he continued, the supreme war council intervened when Warsaw was endangered and saved Warsaw. The league council should have done something to create

an appearance of impartiality; that the average man knew little of the differences between councils. He asked for an explanation. He said it was very important that there should be no question as to the impartiality of the League of Nations. He had no love for the soviet system, but that was the business of the Russian people.

Mr. Bourgeois replied to Mr. Barnes, stating that he, Bourgeois, was present at the meetings of the council during the events referred to; that the council did not intervene because it was clear that intervention would be of no avail and would be perhaps dangerous, because it might extend the conflict, and because there was no chance of getting the principle of intervention accepted. The league council at that time had at the request of the supreme council of the allies tried to make an inquiry into Russian conditions; that the soviet government did not reply for two months, and when they did reply questioned the authority of the league; that the council expressed regret that the soviet government had made what was equivalent to refusal stating that if it did not accept the council's offer to make a peaceful inquiry into Russian conditions by June 15 responsibility for the situation would rest with the Russian Government. Under such circumstances there was no use to try further. Moral intervention had been rejected, one of the league's greatest forces. It had been used for members and nonmembers alike. The dispute between Sweden and Finland was an instance, so also that between Poland and Lithuania, the latter a nonmember. In offering mediation the council makes no distinction between members and nonmembers—invites both to its table.

He quoted article 11 in full:

> Any war or threat of war, whether immediately affecting any of the members of the league or not, is hereby declared a matter of concern to the whole league, and the league shall take any action that may be deemed wise and effectual to safeguard the peace of nations. In case any such emergency should arise the secretary-general shall on the request of any member of the league forthwith summon a meeting of the council.

Neither Poland nor soviet Russia nor any other country, not even Great Britain, the country Mr. Barnes represented, asked the council to intervene. Economic pressure was out of the question because of the status of economic relations between the soviets and the rest of the world. The reply of the soviets to the invitation to attend a conference at Brussels was in such terms that no satisfactory result could have been expected. Military intervention was impossible because the league was denied a military weapon when it was first perfected. Recently the league council had been compelled to ask the great powers for help in fixing boundaries in Lithuania, but they could not have been asked to intervene between Poland and Russia with any hope that the request would be granted.

When the council first met in January many deprecated the existence of the league and awaited its first act with a spirit of irony. The council had to bring its machinery into existence. First, it proceeded to organize the permanent court of international justice and then it brought into being certain special organizations intimately concerning the life of all the States of the world and which allowed the whole body of the world—even its extremities—to take cognizance of what happened. The

council had worked steadily, diligently, and with practical unanimity. It asked for confidence, faith, and time.

Mr. Paderewski, Poland, then addressed the assembly, stating that certain people could not pardon Poland for having retaken her place among the nations and therefore brought accusations against her; that others blamed Poland for the present state of affairs; that a sense of the ills of war led some to condemn a nation for making even a defensive war; that, unfortunately, Poland had been at war since the first day of its resurrection, but not of her own volition; that as hostilities ended in the west a new force rose up against Poland in the east, a force more destructive than the Great War had been; that hardly had Poland risen from the tomb than she had to defend herself against this new force and she did so as best she could; that one could see young children, boys and girls, mutilated and ill, victims of their own patriotism; that all this certainly did not imply imperialism; that he could not discuss the matter as freely as Mr. Barnes, because his country, Poland, had again begun negotiations for definite peace.

He asserted that Poland was not anxious for another war; that it had no imperialistic ambitions; that the Polish people had suffered too much already; that if the war began again the blame would not be on Poland; that if compelled to do so Poland would defend its independence to the end; that otherwise it would be an unworthy member of the league.

Dr. Nansen expressed gratification that this matter had been brought before the assembly, saying that if similar problems could have been discussed in like manner in the past many would have been solved; that in April it seemed the council did have the opportunity to intervene or at least take some step, the soviet government having in that month applied to some important powers, members of the league, for intervention; that these powers failed to intervene and that, as he understood it, the soviet answer to the league in May refused to admit a commission was partly based on the league's failure to intervene; that some step by the council would, in his opinion, have helped Poland; that Poland, as a member of the league, would not have refused the council's request. Mr. Bourgeois had said that no Government asked for intervention, and it might be that the Governments were to blame, not the council; that if such a meeting as the present could have been held in April the world would have been the better for it; that he wished Russia could be represented in the assembly at the present meeting, etc.

The president stated that the motion of Mr. Barnes did not call for a vote, but for an explanation, which had been given. The purpose of his motion had been achieved.

MONDAY, DECEMBER 6, 1920—WITHDRAWAL OF ARGENTINA.

The president communicated the contents of a letter from the Argentine delegation withdrawing from the league because consideration of its amendments to the covenant had been postponed. These amendments were as follows: Admission of all sovereign States; admission of small States, but without the right to vote; the council to be constituted by election on democratic lines; compulsory jurisdiction for courts of arbitration and justice. Argentina had been the only nation to vote against

the motion to postpone until the next assembly action on amendments.

The president also communicated his reply, voicing deep regret on behalf of the assembly.

The Argentine delegation stated in the above letter of withdrawal that the chief aim of the Argentine Government in sending a delegation was to cooperate in the work of drawing up the charter by means of amendments in which it was hoped would be embodied the ideals and principles which Argentina had always upheld in international affairs and from which she could never deviate; that this aim having disappeared, owing to postponement of amendments, Argentina's mission was ended.

AMENDMENTS TO COVENANT.

A covenant amendment by the Argentine delegation that all States be considered members except those expressly declining and one by Mr. C. J. Doherty, delegate from Canada, on behalf of Canada, that article 10 be struck out were referred to the committee on amendments to be set up by the council.

RELATIONS BETWEEN COUNCIL AND ASSEMBLY.

The next question was that of the relations between council and assembly, which had been referred to committee No. 1. Mr. Viviani, France, and Mr. Rowell, Canada, submitted the report on this question, which may be summarized as follows:

I. We must look to the covenant in order to find the functions of council and assembly. First, however, we must consider from a constitutional point of view the legal position of the league, and we must at the outset eliminate certain hypotheses. We can not consider the assembly as a chamber of deputies and the council as an upper chamber. While in certain matters their rights are identical, in others they have special rights. They are not called on to discuss and decide exactly the same points. If they were upper and lower parliamentary chambers, the same subjects would come first before one and then before the other body. Neither can we consider the council as invested with the executive and the assembly with legislative powers. The assembly possesses executive prerogatives as well as the council. In truth the league has no analogy in ordinary constitutional law. Article 2 of the covenant provides that the action of the league shall be effected through the instrumentality of an assembly and a council. The league is therefore a single organism having at its disposal two organs, whose distinct and whose similar attributes we now consider.

II. The council alone (1) has the approval of the appointments of the secretary general; (2) may decide that the seat of the league shall be elsewhere than at Geneva; (3) shall formulate its plans for reduction of armaments; (4) must give its consent to armaments exceeding these limitations; (5) shall advise as to the evil effects attendant on manufacture of arms by private enterprise; (6) shall advise in case of aggression; (7) must formulate and submit proposals for establishment of a permanent court of justice; (8) may act as a council of mediation; (9) must make recommendations to the Governments as to military contribution to the armed forces to be used to protect the covenants of the league; (10) will define the conditions of the mandates if they have not been previously agreed upon by the members of the league; (11) may consent to cooperation of the secretariat with international bureaus and committees; (12) derives certain clearly defined functions from the peace treaties (art. 48, art. 50, annex 17, art. 213, treaty of Versailles; art. 159, treaty with Austria; art. 104, treaty with Bulgaria, etc.); (13) may initiate increase of permanent and nonpermanent members of council.

III. The assembly alone (1) admits new members to the league, (2) elects certain representatives on the council, (3) approves additional members of the council, (4) approves council's nomination of secretary general, (5) hears disputes referred from council to assembly, etc. In these matters final decision rests with the assembly, not the council.

IV. The decision of certain matters is left to the league without it being specified as to whether right of decision belongs to council or assembly (arts. 23 and 24 of covenant; arts. 103, 336, 338, 376 treaty of Versailles).

V. Articles 3 and 4 of the covenant are identical in language as to assembly and council, article 3 being as follows:

"The assembly may deal at its meetings with any matter within the sphere of action of the league or affecting the peace of the world," and article 4 reading:

"The council may deal at its meetings with any matters within the sphere of action of the league or affecting the peace of the world."

VI. The committee does not deem it desirable to formulate in explicit language at the present time the precise functions which council and assembly are respectively expected to perform. In a report to the council on this subject, a report approved by the council, Mr. Balfour used these words:

"The moral I would draw from these broad considerations is that the less we attempt to formulate in explicit language the precise functions of council and assembly, the better for the future of the league. Let us substitute for any such formulation of our respective duties a resolve to deal with any difficulties between assembly and council, not according to prearranged rules, but according to the dictates of fact and common sense, treating each case as it arises on its merits."

VII. In the Balfour report mixed committees are suggested to settle questions of doubtful competence between council and assembly. Decision of this question is not considered necessary for the present.

VIII. The next question is the nature of the executive effect of decisions of the council and assembly. The committee believes these bodies have complete authority in all matters which the covenant or treaties have committed to them for decision. Other matters require concurrence and action of governments concerned in the form of international conventions, such as those mentioned in article 23, paragraph (a), whereby the members of the league are to endeavor to secure and maintain fair and humane conditions of labor for men, women, and children, both in their own contries and in all countries to which their commercial and industrial relations extend, and for that purpose will establish and maintain the necessary international organizations; paragraph (b), whereby the members are to undertake to secure just treatment of the native inhabitants of territories under their control; paragraph (e), whereby members are to make provision to secure and maintain freedom of communications and of transit and equitable treatment for the commerce of all members of the league, the special necessities of regions devastated during the war of 1914–1918 to be kept in mind; paragraph (f), whereby members are to endeavor to take steps in matters of international concern for prevention and control of disease. In these last-named matters the responsibility of governments represented at the assembly, being external to the assembly, can not be engaged. The assembly acts, therefore, by recommendation or invitation leading up to agreements between governments.

IX. Another question is whether a member of the council, in rendering his decisions on the council, represents the country appointing him or acts in an independent capacity. Representatives on council and assembly are responsible to their own Governments exclusively. The assembly can not interfere with the choice a State member makes of representatives nor prevent a representative from saying what he pleases. It should be thoroughly understood that when a representative votes the vote is that of the member State he represents, whether the vote be cast in council or assembly.

Committees of assembly failing to complete their labors can not continue after assembly adjourns. This ruling is necessary because each State has one representative on each committee, and members of committees could not be kept in Geneva after assembly adjourns.

X. The committee suggests following principles:

(a) The council and the assembly are each invested with particular powers and duties; neither body has jurisdiction to render a decision in a matter which has been expressly committed to the other organ of the league.

(b) The assembly has no power to reverse or modify a decision which falls within the exclusive competence of the council. The same respect must be shown by the council for decisions of the assembly.

(c) Under the covenant representatives sitting on the council and the assembly render their decisions as the representatives of their respective States, and in rendering such decisions they have no standing except as such representatives.

(d) The council will present each year to the assembly a report on the work performed by it.

Report adopted, except as to paragraph (b), article 10. This was reserved for further discussion.

TUESDAY, DECEMBER 7, 1920.—RELATIONS BETWEEN ASSEMBLY AND COUNCIL.

It was agreed to strike out paragraph (b), article 10, of report of committee on relations between council and assembly, and this settled the point reserved on Monday, December 6, for further debate.

RELIEF OF CHILDREN.

The Swiss motion regarding relief of children in war-affected countries was referred to committee No. 2 for report as to whether it should be discussed at present session.

TYPHUS.

The question of typhus in eastern Europe was taken up, and the following resolutions adopted, the first being proposed by a special committee, the second by Dr. Nansen:

The assembly resolves, first, that an urgent and immediate appeal shall be made by the assembly to all the countries of the world for an adequate fund for prosecuting an effective campaign against epidemic disease in eastern Europe, beginning with Poland as a center, and that the International Office of Public Hygiene, International Committee of Red Cross, and League of Red Cross Societies should be earnestly asked to cooperate. The assembly approves of the action taken by the council and the reports submitted by the various committees and subcommittees of the assembly which have considered the subject, and pending the result of the appeal feels that it is imperatively necessary to make at once such a beginning of the campaign as may be possible within the limits of the funds already promised.

Second, that the president be empowered to nominate a committee of not more than three delegates of the assembly to examine the question of the funds necessary for the campaign against typhus, and to take any steps possible before the end of the session of the assembly to secure these funds.

WEDNESDAY, DECEMBER 8, 1920—TECHNICAL ORGANIZATIONS.

This day was taken up principally with debate on relations between technical organizations and the council and assembly, no vote being reached.

THURSDAY, DECEMBER 9, 1920—TECHNICAL ORGANIZATIONS.

The assembly adopted the resolution of the council on the subject of technical organizations, dated May 19, 1920, and submitted to the assembly by the council. This resolution has already been set out in the council proceedings of the date mentioned.

ADVISORY ECONOMIC AND FINANCIAL COMMITTEE.

After debate a resolution was passed for the creation of an advisory economic and financial committee to aid the league in working out economic and financial measures to be submitted for adoption by members of the league in accordance with the covenant—this committee to replace the provisional technical economic and financial committee appointed by the council. The resolution authorized the council to call a financial and economic conference to consider economic and financial problems with power to constitute the advisory economic and financial committee above referred to. The assembly indorsed the note addressed by the council to the various Governments embodying the results of the Brussels conference.

COMMUNICATIONS AND TRANSIT.

The matter of communications and transit was next considered. A resolution was carried inviting the members of the league to send special representatives to a general conference on freedom of communications and transit to meet at Barcelona

as soon as possible after the adjournment of the assembly, the conference to be invited to draw up measures to be taken by the league in discharging its duties under the covenant and treaties in this regard, to hold subsequent meetings as the council might direct, and to establish a standing communications committee with headquarters at Geneva to advise the council and assembly in matters of transit, ports, waterways, communications, etc.

The assembly enacted a resolution submitting all disputes in transit matters coming within its authority under the covenant and treaties to the permanent court of justice, and pending its establishment to a court of arbitration.

FRIDAY, DECEMBER 10, 1920—INTERNATIONAL HEALTH ORGANIZATION.

The question of an international health organization was next considered and the body already set up by the council approved with some amendments.

ECONOMIC BLOCKADE.

The committee to which was assigned the subject of the economic weapon of the league, a matter referred to the assembly by the council, reported to the assembly recommending that the council be asked to appoint an international blockade commission to consider the application of article 16 of the covenant and to report to the council and the council to transmit the report to the assembly at its next annual session.

Pending that report the committee recommended certain steps making immediately effective the economic weapon of the league under article 16 of the covenant against a covenant-breaking State, these steps being subject to review by the international blockade commission when appointed, and calling for the following procedure:

(a) The secretary general to call the attention of the council to any facts which in his opinion show that a member of the league has become a covenant-breaking State under article 16.

(b) On receipt of such information the council to hold a meeting as soon as possible, and to send the minutes of the meeting to all other members.

(c) As soon as a member is satisfied, as a result of this message from the secretary general, that a breach of the covenant within article 16 has occurred, it is his duty to take measures to carry out the first paragraph of article 16, which reads as follows: "Should any member of the league resort to war in disregard of its covenants under articles 12, 13, or 15, it shall ipso facto be deemed to have committed an act of war against all other members of the league, which hereby undertake immediately to subject it to the severance of all trade or financial relations, the prohibition of all intercourse between other nations and the nationals of the covenant-breaking State, and the prevention of all financial, commercial, or personal intercourse between the nationals of the covenant-breaking State and the nationals of any other State, whether a member of the league or not."

(d) These measures to include breaking off of all diplomatic relations. But relations which exist for purely humanitarian purposes may be maintained with the covenant-breaking State.

(e) Prevention of any commercial or other intercourse between the residents within its borders and those residing in the covenant-breaking State; immediate passage of necessary legislation to this end, in accordance with the constitution of each State member.

(f) Where the covenant-breaking State has a seaboard, effective blockade to be instituted, and council to consider forthwith which members could most conveniently be asked to discharge this duty.

Discussing this report, Lord Robert Cecil said that while the economic weapon was of vital importance it must be remembered that the most powerful weapon of the league was not the economic weapon, the military weapon, or any other weapon

of material force, but the weapon of public opinion. He believed that the action of the league would depend far more on the efficacy of public opinion than on any other consideration. Almost every nation would yield to public opinion, but just as some individuals in private life are unrestrained by the disapproval of the public so nations will at times disregard international public feeling. By article 16 it is provided that when a member nation, contrary to its covenants, insists on going to war without giving proper opportunity for consideration and discussion, said nation shall be deemed to have committed an act of war against all other members, who are in the first place to put in force against the offender all possible economic pressure. While article 16 calls for economic pressure, it provides no effective machinery. To supply this defect and make article 16 genuinely effective are the objects of the report now before the assembly, he said.

The report was after discussion adopted in substantially the original form, a few amendments having been added.

SATURDAY, DECEMBER 11, 1920.—ESPERANTO.

The following resolution, signed by a number of delegates, and referring to esperanto, an international language, was presented and referred to a committee:

The League of Nations, well aware of the language difficulties that prevent a direct intercourse between the peoples and of the urgent need of finding some practical means to remove this obstacle and help the good understanding of nations, follows with interest the experiments of official teaching of the international language esperanto in the public schools of some members of the league, hopes to see that teaching made more general in the whole world, so that the children of all countries may know at least two languages, their mother tongue and an easy means of international communication, and asks the secretary-general to prepare for the next assembly a report on the results reached in this respect.

NONPERMANENT MEMBERS OF COUNCIL.

In reference to the election of the nonpermanent members of the council it was resolved that the membership of Belgium, Brazil, Spain, and Greece, provisionally conferred by the covenant, would expire December 31, 1920, that their successors be elected at the present meeting one at a time by secret ballot; that if no member obtained a majority on the first ballot a second ballot should be confined to the two highest, and in the event of a tie the chairman to decide between them by lot; that various proposals as to periods of eligibility, geographical distribution, and so forth, be submitted to the council committee on amendments to covenant for report to next assembly; that in the present election it was recommended that three of the nonpermanent members be selected from Europe and the two American continents and one from Asia and the remaining parts of the world.

MONDAY, DECEMBER 13, 1920—PERMANENT COURT OF INTERNATIONAL JUSTICE.

This day was devoted to discussion of report of committee on the permanent court of international justice.

Delegate Bourgeois said that the constitution of the court was an essential task of the League of Nations; that a complete scheme was now for the first time placed before the world; that all previous difficulties had been overcome, organization, permanence, duration of tenure of judges, procedure, nomina-

tion of judges; the result being a tribunal above and outside of political influences; that a permanent court would now be established with absolute independence; that the method of obtaining international justice conceived by the covenant was now open to all; that it would help to establish future peace on the elements of justice.

Dr. Hagerup, Norway, presenting the committee's report, said that the credit of a successful system of nominating judges belonged to the league. The committee had proposed a change in the plan submitted through the council by its committee of jurists—a change in the method of nomination—the committee suggesting that the nominations should be made not by the Governments but by the national groups of The Hague Court of Arbitration already existing, and by other national groups formed by league members who had not signed The Hague arbitration convention, each group to nominate four candidates instead of two. The committee of the assembly makes more comprehensive the provision that judges of the court shall not hold or exercise any political or ministerial function. The assembly committee also suggests that where technical questions come before the court special technical advisers may sit with and advise them, but may not vote in deciding the case. It was not thought best to recommend compulsory jurisdiction at this time, but an amendment had been added making it possible for states to accept a certain measure of compulsion for themselves. The statute creating the court was to be submitted to member nations for ratification after adoption by assembly and the council would be invested with the duty of looking after and expediting ratifications, the court to come into existence with ratification by a majority. It was hoped that the next assembly could proceed with the election of the judges, the necessary ratifications having been secured in the meantime. The statute was open to ratification by all States mentioned in the annex to the covenant, including the United States. A representative of the United States, Mr. Root, had been a member of the committee of jurists which prepared the scheme at The Hague. Even if the United States had not accepted the league, this would not prevent its acceptance of the court. Some had said that the permanent court was little better than The Hague Court of Arbitration, but the fundamental improvement is that the judges of the former are not selected specially by the parties, but constitute a definite and permanent corps for all cases within their jurisdiction, devoting all their activities to the work, a body which will become the nucleus for the development of international law.

After further discussion the committee report and the following resolutions were adopted:

The assembly declares unanimously its approval of the draft statute of the Permanent Court of International Justice, as amended by the assembly, which was prepared by the council under article 14 of the covenant submitted to the assembly for approval.

In view of the special wording of article 14 the statute of the court shall be submitted within the shortest possible time to the members of the League of Nations for adoption in the form of a protocol duly ratified and declaring their recognition of this statute. It shall be the duty of the council to submit this statute to the members.

As soon as this protocol has been ratified by the majority of the members of the league the statute of the court shall come into force, and the court shall be called upon to sit in conformity with the said

statute in all disputes between the members or States which have ratified, as well as between the other States to which the court is open under article 35, paragraph 2, of the statute.

The said protocol shall likewise remain open for signature by the States mentioned in the annex to the covenant.

TUESDAY, DECEMBER 14, 1920—DISARMAMENT.

The question of disarmament was taken up. Delegate Fisher, of Great Britain, introducing the committee report on this matter, said that the League of Nations was framed for the maintenance of peace, for the security and better observance of international obligations; that one of the most important steps to these ends was the reduction of armaments to the minimum, compatible with the maintenance of national security and the discharge of national obligations. The competition of armaments had in the past proved a fruitful source of international unrest, and the covenant laid down clearly and firmly the desirability of taking steps toward the reduction of armaments.

He said that article 8 of the covenant contemplated a full and frank exchange of military information, the reduction of armaments on a systematic and comprehensive plan, the development of measures mitigating the evils incident to private manufacture of armaments. It went even further, and supplied the council with an organization and with machinery for the attainment of these objects.

The speaker realized the difficulties in the way, the fact that Europe was still in a state of unstable equilibrium, that large areas were still disturbed, that many powers of great actual or potential military strength still stood outside the league, the necessity of executing in full the military clauses of the peace treaties, and exacting security for their observation before mutual trust and general stability could be attained.

Much, however, had already been accomplished, drastic measures having been taken, and still being taken, to reduce the armaments of central Europe. The stern force of economy was promoting reductions in many powerful States. The process was of necessity slow and gradual. An arms traffic convention had been concluded at St. Germain on September 10, 1919, with the object of limiting the traffic in arms and of preventing the vast surplus of munitions accumulated in recent years from reaching the disturbed regions and creating fresh embarrassment and trouble. The war had caused great increase in machinery for making arms and munitions, and there was danger that the demand for armaments might be stimulated by the enterprise of firms desirous of disposing of surplus stocks. The committee was deeply impressed with the value of the arms traffic convention, but noted that so far it had not been ratified by a majority of the signatory powers. Among the powers framing this convention were United States, Belgium, Bolivia, British Empire, China, Cuba, Ecuador, France, Greece, Guatemala, Haiti, Fiji, Italy, Japan, etc. Accordingly the committee had in its report recommended the early ratification of this convention. It had also recommended that problems involved in private manufacture of arms be referred to the permanent armaments commission of the council for study and report.

The committee also recommended that a special civilian commission be authorized to advise on economic, social, political,

legal, and other nonmilitary aspects of the question of armaments.

The committee suggested further that effective progress in disarmament required (1) complete fulfillment of reduction of armaments imposed by the peace treaties on certain powers; (2) exercise of right of investigation accorded by these treaties to the council of the league in order to maintain that reduction; (3) collaboration of great military powers outside the league.

The report of the committee suggested that the council request the permanent advisory commission on armaments rapidly to complete its technical examination into present condition of armaments; instruct the temporary commission versed in political, social, and economic matters to prepare reports and proposals for reduction of armaments as provided in article 8 of covenant, and form within the secretariat a section to cooperate with this commission and to serve as a channel for publication and exchange of military information referred to in covenant; consider a mechanism for verifying information thus exchanged in the event verification should be approved by an amendment to covenant; and, pending full execution of article 8, request Governments to keep their military budgets for two years at the level of the coming fiscal year, with exceptions as to military obligations that might arise under the league.

Discussion proceeded with the result that the report and resolutions were adopted, the last instruction to the council having been changed to a recommendation. This was made necessary by the lack of unanimous support for this form of an instruction. The vote on adopting the recommendation was 30 to 7.

WAR PRISONERS—RETURN OF GREEK CHILDREN.

Dr. Nansen reported the need of additional funds to complete the work of repatriating prisoners, and was thanked by the Greek delegation for his activities in returning Greek children from Bulgaria.

WEDNESDAY, DECEMBER 15, 1920—OPIUM TRAFFIC.

On the subject of the traffic in opium it was resolved that the league should undertake the duties placed on the Netherlands by the opium convention; that for this purpose and to enable the league to fulfill the functions assigned it by the covenant in connection with the opium traffic the secretariat of the league be instructed to ascertain the arrangements of the various countries for carrying out The Hague Opium Convention of 1911–12, and gather data on production, distribution, and consumption of the drug, and so forth; that to secure fullest possible cooperation and to advise the council an advisory committee be appointed by the council, including representatives of the countries mainly concerned, especially Holland, Great Britain, France, India, Japan, China, Siam, and Portugal, to meet at such times as desirable under general direction of council; that nonmember States be invited to cooperate, especially the United States; that the council be authorized to add not more than three persons with special knowledge to act as assessors to the committee; that the advisory committee shall three months before each assembly present to council for submission to assembly a report on execution of agreements as to traffic in opium and other dangerous drugs.

TRAFFIC IN WOMEN AND CHILDREN (WHITE-SLAVE TRADE).

In the matter of the traffic in women and children it was resolved that the secretariat send a questionnaire to all Governments asking what legislative measures have been taken to combat the traffic and what were contemplated; that the Governments signatory to the 1904 and 1910 international conventions on this subject be immediately urged to put such conventions into operation; that the council be requested to invite the powers signatory or adherent to the international conventions of 1904 and 1910 to send representatives to an international conference to be held before the next assembly, this conference to coordinate replies to the questionnaires received by the secretariat and to endeavor to secure a common understanding between the various Governments with a view to future united action; that the council be invited to constitute a committee of inquiry with a view to informing the council as to present situation in Armenia and Asia Minor and adjoining countries regarding deported women and children, the committee to be composed of three members from the districts in question, one to be a woman.

Among the delegates speaking for this resolution was Miss Forchhammer, of Denmark.

In explaining the resolution Delegate Jonescu, Rumania, chairman of the reporting committee, made it plain that it was beyond the power of the league to send a committee of inquiry into countries not desiring and asking it. The committee had to be limited, therefore, to the countries provided for in the Turkish peace treaty.

NONPERMANENT MEMBERS OF COUNCIL.

Spain, Brazil, Belgium, and China were elected nonpermanent members of the council for one year.

ADMISSION OF NEW STATE.

The report of the committee on admission of new States to the league was presented. The delegate presenting the report, Mr. Huneeus, of Chile, stated that the committee had been imbued with the spirit that all further States offering adequate guarantees and determination to observe international obligations should be admitted, whether applicants were ex-enemy States or otherwise.

Austria was admitted.

THURSDAY, DECEMBER 16, 1920—ADMISSION OF NEW STATES.

Bulgaria, Costa Rica, Finland, Luxemburg were admitted.

Armenia was denied admission. It was contended in the discussion that her boundaries had not been determined, that her governmental authority had not been generally or definitely established, and that if admitted a mandate could not be obtained for her. The question of admitting her to membership in the technical organizations was returned to the committee.

The assembly adopted the following in reference to Armenia:

The assembly earnestly hopes that the efforts of the President of the United States, supported by the Governments of Spain and Brazil and by the council of the league, will result in the preservation of the Armenian race and in securing for Armenia a stable government, exercising authority throughout the whole of the Armenian State, as the boundaries thereof may be finally settled under the treaty of Sevres, so that the assembly may be able to admit Armenia into full membership of the league at its next meeting.

Esthonia, Latvia, Lithuania, Georgia were denied admission. The determining contention in the discussion seemed to be that these countries were not on a sure foundation, and that the league would not be in position to make effective as to them its obligations under article 10. It was decided, however, to admit these States into the technical organizations of the league and the labor office.

FRIDAY, DECEMBER 17, 1920—ADMISSION OF NEW STATES.

Albania was admitted to the league.

Azerbaidjan, Ukraine, and Lichtenstein were not admitted to membership. The report on the first two favored rejection on account of unstable frontiers and Governments. The objection advanced against Lichtenstein was its size, but a resolution was adopted calling on the council committee on covenant amendments to consider whether and in what manner it would be possible to attach to the League of Nations sovereign States which by reason of small size could not be admitted as ordinary members.

ARMENIA.

The president laid the following proposal of the Rumanian Government before the assembly:

In order to bring about speedy and real assistance to the Armenian people, who are apparently in death's agonies, Rumania proposes to the allied nations assembled at Geneva that an international expeditionary force should be formed, charged with the duty of establishing order and peace in Armenia, and this international body should be placed under the command of an interallied general staff, and might be composed of a force of 40,000 men, made up of detachments of all the countries at present belonging to the League of Nations according to their proportionate populations. Rumania declares herself ready to assist in this work, both in material and men, and her money.

This communication was referred to the special committee on Armenian affairs.

POGROMS.

The president announced that he had received letters from two private organizations inviting the attention of the assembly and the civilized world to the perils of the pogroms and the dangers and sufferings of Jewish populations who had emigrated from the east to western areas. He said these letters would be published and circulated among the delegates.

BUDGET.

Discussion now ensued on the budget of the league.

Sir George Foster, a delegate from Canada, presenting the committee report on this subject, said during his remarks that the financial foundation of the league was a contribution allocated on a certain basis to the different nations who are members of the league; that the contribution was a voluntary one voted under the auspices of the governments by the legislatures to which these governments are responsible; that it was of vital importance that the contributions should be promptly paid and loyally given; that they constituted the only fund the league had at its disposal for its operations. All but three countries had paid their allocations for the first period, which ended March 31, 1920. For the second period, which ended December 31, 1920, 10,000,000 gold francs had been allocated and a little less than half paid to date. The council should establish some rule as to members lax in payments.

The speaker said that the basis of allocation should be just and fair, the existing basis being neither. South Africa, with a million and a half whites, paid as much as Great Britain, France, and other first-class nations. An equitable plan was proposed in the report and every effort would be made to substitute it for the present one. A more systematic method of preparing estimates of expense was also suggested, and also an improved system of controlling expense.

The report recommended, said the speaker, that a small committee of experts should make a thorough examination into the organization, methods of work, efficiency, numbers, salaries and allowances, and general expenses of the secretariat and labor organization, and report to the council, that report to be in the hands of members by June 1, 1921.

The league should stand for the strictest economy compatible with efficiency. The league had performed notable work. Already it had brought about a fusion of sentiment and a unity of purpose that promised well for the future peace of the world. The speaker concluded with these sentences:

The alternative is a League of Nations or bloody war in the future. Which shall we take? Humanity cries out for the one and reprobates the other. This assembly has its opponents, bitter some of them. It has its honest critics, its fair critics, and its malicious critics. It has its warm friends, and it has outside yonder the vast mass of humanity, inarticulate in a great degree, but predisposed to peace and praying for the accomplishment of a universal peace. With what watching and anxiety has this assembly been followed since its entrance upon its labors here in Geneva. This ship upon the stocks—would it crumble upon the ways or would it glide peacefully and successfully into the waters? We have seen the operation. The ship is now upon the world's seas. What dangers it may meet with, what perils it may encounter, what storms it may have to pass through before every pirate of war is swept from the seas of the world, and the ship sails successfully at last into the port of universal peace, we do not know, but God rules in heaven and humanity prays on earth, and what humanity prays for such a God will never deny.

The budget report and recommendations were adopted with a few amendments.

SATURDAY, DECEMBER 18, 1920.—MANDATES.

The report of the committee on mandates came up for consideration.

Dr. Nansen said that the league mandates exemplified a new idea in the colonial politics of the world, the idea that colonies were not taken from enemy States as property, but intrusted to different countries under mandates from the league; that enemies of the league called this hypocrisy, another form of annexation; that the exercise of mandates was therefore to some extent a test of the league, and that he was sure the league would stand the test.

After presenting and analyzing the report Lord Robert Cecil said that the league was now entering the most difficult period of its existence; that hitherto it had been occupied mainly with questions of internal organization, most of which were now settled; that the league would now be called upon to meet international problems as they arose and must do its part with courage, not attempting too much, not lapsing into inaction.

Among the league enemies, he asserted, were the militarists, who believed war was the only way of settling international disputes; the bureaucrats, who could not believe that the system in which they had been brought up was unsuitable to modern

disputes; the reactionaries, who are alarmed at anything new; and the revolutionaries—in some ways the most formidable of all—who see in the league, and see rightly, a great obstacle to their design, a great barrier against revolution—a great force for stability and who wish its enfeeblement and destruction. Among the friends of the league were all the great religious forces of mankind, and that great mass of opinion that loves righteousness and hates evil, that loves peace and hates war. Suspicion would be the great weapon against the league; easy to excite amid the vast dangers and difficulties besetting the world.

We are engaged, he continued, in a new and great experiment, a novel thing, and old methods must be discarded. The friends of the league should study the methods of the Congress of Vienna and do the opposite. Their one strength was to throw themselves on the support of the peoples of the world. Secure their support by taking them into your confidence, telling them what you have done, what you are doing, and the reasons prompting you.

Discussing the report, Delegate Bourgeois said that not a single point on which differences arise in the league was overlooked by its enemies; that many of them were writers who flooded the world's press and the various countries with gloomy predictions that the league was soon to dissolve. They saw nothing of the unanimity that marked most of the acts of the league but magnified the smallest items of disagreement.

The recommendations of the report were as follows:

(1) Members of the mandates commission should not be dismissed without the assent of the majority of the assembly.

(2) The commission should contain at least one woman.

(3) The mandatories should be asked to present to the commission a report on the recent administration of the territories now confided to their care.

As to mandates A the report recommended:

(4) The mandatory should not be allowed to make use of its position to increase its military strength.

(5) The mandatory should not be allowed to use its power under the mandate to exploit for itself or its friends the natural resources of the mandated territory.

(6) An organic law should be passed in the mandated territories as soon as possible, and before coming into force should be submitted to the league for consideration.

The report made this general recommendation:

(7) Future drafts of mandates should be published before they are decided upon by the council.

During the debate on the mandate report and recommendations Delegate Balfour deprecated what he claimed was an erroneous view pervading the discussion and the report, viz, that the assembly was the responsible body under the covenant for dealing with mandates. He asserted that the whole responsibility lay with the council, and the council alone, and that nothing the assembly did could lessen the responsibilities or hamper the freedom of action the covenant had conferred on the council. He would support the report and recommendations, but they would not modify his freedom of action as a member of the council or control his vote. He would accord them respectful consideration, of course; so should the council. It could not be bound by them, however, and perform its duties under the covenant. This brought forth a spirited and at times

rather critical reply from Lord Robert Cecil, who concluded by again calling for more publicity in the transactions of the council. He said the assembly was not trying to take away the council's jurisdiction, but to give it the assembly's judgment for study and consideration.

The report and recommendations were adopted.

ARMENIA.

The committee on Armenia reported and asked that it be continued after the assembly adjourned, so that it might go on with its work. This was opposed by Mr. Viviani, who said the assembly could not afford to have permanent committees; that the council was the permanent committee of the assembly, and he proposed that the Armenian matter be left to the council.

The Rumanian delegate, Mr. Jonescu, reviewed the proposal for a joint military expedition in behalf of Armenia, and Mr. Viviani contended that this, too, should be referred to the council.

Mr. Jonescu agreed to that course, and both Armenian proposals were referred to the council.

TYPHUS AND KINDRED EPIDEMICS IN EASTERN EUROPE.

The committee on typhus and kindred epidemics in eastern Europe reported that the sum of £2,000,000 should be asked for as a contribution to the campaign against the epidemics in eastern Europe in addition to the amounts that might be raised by the League of Red Cross Societies, that the organization of the work should be left with the council, working through the chief medical commissioner of the typhus campaign of the League of Nations and the Red Cross League. The various delegations of the assembly were requested to present the matter to their governments, urging speedy and favorable action. The report was adopted.

RELIEF OF CHILDREN.

As to relief of children in war-affected countries the council decided to deal with the matter in conjunction with existing organizations.

ESPERANTO.

The report from the committee on an international language stated that Esperanto was being officially taught in some of the States members of the assembly and recommended that the secretariat inquire as to results, reporting to the next assembly. M. Hanotaux, French delegate, made the following comment:

> May I ask that we should adjourn this question? Here we had to record the other day a decision not to be able to accept a very old and interesting language—the Spanish language. It is now proposed that we should make an inquiry with regard to the study of an entirely new tongue. As a member of the French Academy, and representing a very beautiful and old language which has beautifully developed traditions in the literary world, I ask that our French language should defend its rights against any imposition of new languages and new creations and that we should, therefore, adjourn this question.

The assembly decided not to consider the question further.

INTERNATIONAL ORGANIZATION OF INTELLECTUAL WORKERS.

Delegate La Fontaine, of Belgium, introducing the report of the committee on organization of intellectual work, said that the problem involved was how far it was possible to organize the intellectual work of the world; that great progress had been

made during the last 25 years; that the council had already shown marked sympathy with all efforts to unite the thinkers of the world; that while nations had been fighting each other, thinkers had crossed frontiers and conferred together; that since 1840 an extraordinary development of international relations had been apparent; that from 1840 to 1850 only 10 international conferences were called, but between 1900 and 1910 there were no less than 1,600 such conferences, and that during the four years preceding the war there were 500.

These conferences, he stated, dealt with a great variety of matters, delegates coming from all parts of the world. He was of the opinion that this general movement should be assisted, coordinated, and rendered more effective. Groups of international bodies had already been united into 400 international associations. An international union of 230 associations of different kinds was formed just before the war.

The object of these combinations was to give precision and method to the work of those who labored with their heads and not with their hands. The committee now asked the league to do the same for these workers that it had done for manual workers. An international labor office had been established for manual workers and a budget recently voted it of 7,000,000 gold francs. The committee asked the same treatment for intellectual workers, but not for a similar amount of money. Only a few hundred thousand francs would be required to complete the organization.

The committee suggested the following resolution:

The assembly of the League of Nations, approving the assistance which the council has given to works having for their object the development of international cooperation in the domain of intellectual activity, and especially the moral and material support given to the union of international associations on the occasion of the inaugural session of the international university and of the publication of the list of recommendations and resolutions of the international congresses, recommends that the council should continue its efforts in this direction and should associate itself as closely as possible with all methods tending to bring about the international organization of intellectual work.

The assembly further invites the council to regard favorably the efforts which are already in progress to this end, to place them under its august protection, if it be possible, and to present to the assembly during its next session a detailed report on the educational influences which it is their duty to exert with a view to developing a liberal spirit of good will and world-wide cooperation, and to report on the advisability of giving them shape in a technical organism attached to the League of Nations.

Mr. Barnes, of Great Britain, opposed the resolution, holding that no distinction should be drawn between manual and intellectual labor at all. He said it was quite true that hitherto the mass of mankind had been regarded as mere hewers of wood and drawers of water, but that we were now getting an educated democracy, a democracy not content with that position of subordination; that the line between intellectual and manual labor was tending to disappear; that the resolution tended to perpetuate it.

He contended that the league had a sufficient number of technical organizations; that the international labor office was the proper place for assistance to intellectual labor. Intellectual labor should assert itself, as manual labor had done, and not come begging. Men of letters had begun to stand up for themselves. Journalists had rescued themselves from sub-

servience and dependence, and men of letters were getting away from the old idea of patronage.

Mr. La Fontaine replied that Mr. Barnes misunderstood the proposal; that the object of the proposed intellectual organization was to enable men of learning in every nation to collaborate, to compare, collect, and publish all their works; to give more coordination, force, and power to human thought; that if intellectual workers desired to organize for better physical surroundings, pay, and so forth, the labor office would aid them, but that the organization here sought was for a different purpose and could give manual workers as well as all others the benefit of the widest intellectual and educational development.

Mr. Barnes moved the previous question; motion lost.

The resolution was adopted.

AMENDMENTS TO COVENANT.

The president stated that all communications relating to amendments to the covenant should be submitted to the council committee on amendments not later than March 31, 1921, the council having fixed that date as the limit.

CLOSING ADDRESSES.

All business having been finished, the president, Mr. Hymans, delivered a closing address.

He said in the course of his deliverance that no atmosphere could have been more favorable to the labors of the assembly than that of the Genevese democracy fashioned by centuries of free government.

It had been said five weeks before that the league was making a great experiment; to-day it could be said that the experiment was a success. For five weeks the assembly had been engaged in work and discussion; it had been divided into numerous committees and subcommittees. In the committees, in which all States were represented, and in the subcommittees care had been taken to secure the presence of the most expert and competent men, and the work had been painstaking, thorough, conscientious. Every question had been subjected to searching investigation. The committee on the permanent court had held 22 meetings.

Continuing, Mr. Hymans said that when the assembly met means of action and methods of discussion were uncertain. Promptly the assembly determined its rules of procedure. It determined clearly its relations with the council and fixed its budget. Wisely it decided not to revise the covenant immediately, but to give suggestions of change opportunity to mature, at the same time allowing the covenant to meet the test of actual operation. Wisely it submitted all proposals of amendment to a committee to be nominated by the council for study and report to the next annual session of the assembly.

The assembly had admitted six new States to the league. It had in the endeavor to remedy economic disorder created technical organisms which should become useful factors for human cooperation, examination, criticism, action, among these being the advisory economic and financial committee, the transit committee, the organizations against typhus, opium trade, traffic in women and children, and so forth.

One idea had dominated the assembly, the need of destroying the most terrible scourge of all—war! Slowly and carefully the means of doing this had been examined. A system of economic penalties had been organized, the international blockade commission created. The question of disarmament was under investigation, an ideal which could be entirely realized only in the future. There were still nations who by reason of their political and geographical position, and because the League of Nations had not yet acquired the real authority it would one day possess, were obliged to take indispensable measures to guarantee their security.

The greatest achievement of the league, continued the speaker, was the permanent court of international justice, an idea which had been germinative for so many years. He referred especially to article 36 in the draft scheme for the court, enabling States by a simple declaration, with whatever methods or reservations they prefer, to admit its obligatory jurisdiction for all disputes of juridical nature. This was a remarkable step forward—a step which would leave its mark on history, opening the road to obligatory arbitration.

He spoke of the assembly's efforts to help Armenia. For a long time, he said, the great powers had been dealing with the Armenian problem, but had been unable to solve it. The assembly had not secured a mandatory, but had found a mediator—President Wilson—whom Spain and Brazil had generously promised to help. Every effort would still be made to save this martyred people.

Fraternity and sincerity had marked the proceedings. There were differences of opinion, but not of principle. Men assembled from all corners of the earth were united in the cause of justice and peace.

Another feature of the assembly had been recognition of the equality of States, of the fact that the interest of humanity was a general interest; that small States had the same interest as the large States in the safety of humanity.

He concluded with these words:

In the history of humanity all great works in their beginning have met with the skepticism, the jeers, and the disparagement of the feebler spirits. Let us leave such things on one side and march forward. Let us appeal to the opinion of the peoples. We have given them a great hope. They will never renounce it.

Let us appeal also to youth. I will not say that we are all old, but many of us are already the men of yesterday; some of us can still claim to be the men of to-day; but I appeal to the men of to-morrow. It is upon them that the great burden is laid—on youth—on the youth of all countries in the world, and especially on the youth which has fought and shed its blood, which has garnered the glories of war and witnessed its horrors; it is to youth that I appeal to construct the new moral world which is indispensable to the full growth of the League of Nations.

We must persevere in our task and proceed upon our way. Proud in our hope and the consciousness of our lofty duty, we must persevere in our path to our glorious destiny.

With loud applause the entire assembly rose and acclaimed the speaker.

Mr. Motta, President of the Swiss Republic and honorary president of the assembly, thanked President Hymans for the able, diligent, impartial, and brilliant manner with which he had presided, saying in part:

Mr. President, you are entitled to our gratitude; not in vain has the first assembly of the League of Nations appealed to your experience and

to your devotion. The task which we laid upon you was most difficult and most delicate. The rule of unanimity which governs our debates, the diversity in our methods of discussion, the differences in our parliamentary conceptions, all require on the part of the president an infinite amount of tact, courtesy, understanding, and firmness, added to a consummate knowledge of affairs. All these qualities, rare as they are, you have brilliantly displayed. You have labored unremittingly, but, fortunately for us, you are one of those men who never tire. When you return to your beloved Belgium, you will have this comfort, so dear to the patriot's heart, that you have held high the stainless banner of your noble and valiant country.

Mr. Motta then said that confidence in the future had been increased and strengthened, that he had just signed in the name of the federal council of Switzerland, with Portugal and Rumania, the declaration which, subject to the ratification of the Swiss Parliament, recognized the compulsory jurisdiction of the permanent court of international justice under conditions of reciprocity, and for a period of five years. Switzerland thus proclaimed to the world by that act her idea of peace and her faith in the immortal strength of right which was the principal reason for the existence of the League of Nations.

He concluded in this manner:

The world is still, alas, in a state of crisis; it can not yet awhile attain its true equilibrium. One of the tasks of the League of Nations—its primordial task which is of far more importance than all the others—is to work toward the appeasement of men's spirits, the reconciliation of men's hearts and toward the coming together of the peoples who, whatever may be the errors and the misdeeds of their political and intellectual leaders, are never themselves the real culprits.

The first assembly of the League of Nations has already displayed its spirit and its intentions. In welcoming into its midst Austria and Bulgaria it has not appealed in vain to the generosity of the victors and the loyalty of the vanquished.

Christmas is at hand; that feast which above all others expresses with the highest poetic grandeur and the most infinite tenderness the genius of the Christian faith. Whatever our beliefs may be we all raise high our voices in a supreme appeal to the opinion of the world that it may heed us and help our endeavors and aid us to fulfill that promise which is both human and divine, "Peace on earth, to men good will."

That marked the conclusion of the first assembly of the League of Nations.

TWELFTH SESSION OF COUNCIL, PARIS, FEBRUARY 21–MARCH 3, 1921.

SAAR GOVERNING COMMISSION.

On February 21 the council meeting in its twelfth session with Representative da Cunha, of Brazil, president, reappointed the existing members of the Saar governing commission to serve one year from February 13, 1921.

COVENANT AMENDMENTS COMMISSION.

Representative de Leon, of Spain, submitted a report of the commission on amendments to the covenant, stating that the assembly after deciding not to consider covenant amendments at its first session, agreed that all amendments theretofore proposed and which might be offered before a date fixed by the council should be submitted for consideration to a commission to be appointed by the council. It was evident that the commission would be purely advisory and could submit amendments of its own as well as those of others.

Accordingly he offered this resolution:

Whereas the assembly in a resolution adopted December 2, 1920, invited the council to appoint a commission to examine the proposed amendments to the covenant,

The council decides that a commission of 11 members shall be appointed to examine the proposed amendments to the covenant and

certain relevant questions submitted by the assembly to said commission, as well as any other proposals concerning amendments to the covenant which might be submitted by any member of the league up to March 31, 1921, inclusive, being the date fixed by the council. The commission will also examine on its own initiative such proposed amendments to the covenant as it may think fit to examine and all questions of this kind that the council might submit to it at any future date. Its full report to the council will be submitted June 1, 1921, at the latest. Mr. Balfour, president, Mr. Beichmann, Mr. Benes, Mr. Blanco, Sir Robert Borden, Mr. Hatoyama, Mr. Prida, Mr. Restrepo, Mr. Scialoja, Mr. Viviani, and a Chinese member (to be named later) are invited to be members of the commission.

The report and resolution were adopted.

COMMITTEE ON ARTICLE 18 OF COVENANT, RELATING TO TREATY REGISTRATION.

The council on February 21 resolved to appoint, in compliance with an assembly resolution of November 23, 1920, a committee to study the scope and intentions of article 18 of the covenant from the legal point of view and to submit proposals enabling the council to report to the next assembly. Mr. Scialoja (chairman), Mr. Bourquin, Mr. Fernandes, Mr. Fromageot, Sir Cecil Hurst, and Mr. Struycken were invited to serve.

COMMITTEE TO EXAMINE ORGANIZATION OF PERMANENT SECRETARIAT AND INTERNATIONAL LABOR OFFICE.

On the same day the council resolved to appoint, in compliance with an assembly recommendation of December 17, 1920, a committee to consider organization, method of work, efficiency, number, salaries, and allowances of the staff, and with the general expenditure of the whole organization, as well as all other points necessary to enable the assembly to form a fair judgment in respect thereto, both as regards the secretariat and the international labor office, and requested Mr. Noblemaire, Mr. Bellotti, Mr. Villanueva, and Mr. Figueras to serve, report to be made July 1, 1921.

OPIUM TRAFFIC.

A report by Representative Wellington Koo on February 21 recited the action of the assembly on the opium traffic, stating that the secretary general on January 22, 1921, had written the Netherlands Government informing it of the resolutions and requesting its cooperation in the manner indicated therein, and on the same date had written the Governments of Holland, Great Britain, France, India, Japan, China, Siam, and Portugal, calling special attention to the paragraph referring to the appointment by the council of an advisory committee on traffic in opium, and concluding with the proposals of this resolution, to wit:

That in accordance with the resolutions of the assembly, passed on December 25, 1920, an advisory committee on traffic in opium be appointed, consisting of one representative from each of the following eight countries, viz, Holland, Great Britain, France, India, Japan, China, Siam, and Portugal.

That Sir John Jordan, Mr. Henri Brenier, and Mrs. Hamilton Wright be appointed as assessors to the advisory committee for a period of two years from date of appointment.

That the advisory committee be requested to meet, if possible, at the beginning of May and to submit to the council not later than June 1, 1921, a report on the execution of agreements relating to the traffic in opium and other dangerous drugs, in accordance with the resolutions of the assembly.

The report and resolution were adopted.

PUBLICITY.

Representative Hymans reported, February 21, on the subject of publicity, referring to an assembly resolution of November

23, 1920, requesting the council to consider the matter of greater publicity for its discussions and decisions. He said that it did not seem possible to throw all the meetings of the council open to the public; that exchanges of views between members of the council must retain the characteristics of confidence, freedom, and conciliation, rendered necessary by the nature of the questions under discussion and the endeavor to reach the desired agreements; that the public meetings theretofore held had in many cases aroused little interest; that the reading of numerous documents accumulated during a session wearied the attention, while their very number prevented adequate reproduction in the press.

He thought it would be better to throw open to the public those meetings which the council might regard as of a special interest for public opinion, and to give at once to the press as the council proceeds the reports and resolutions and a short summary prepared by the secretariat and approved by the members of the council.

Accordingly he proposed these resolutions, viz:

That the council shall decide that a meeting is to be open to the public whenever it considers that course to be advisable or opportune.

The secretariat will insure the immediate publication of resolutions and reports, and also of a short summary of the discussions which shall have been previously approved by the members of the council.

The report and resolutions were adopted.

INTERNATIONAL BLOCKADE COMMISSION.

The council on February 22 adopted the report and recommendation by Representative Imperiali, Italy, on the question of blockade, the resolution passed being as follows:

In pursuance of the resolution and report adopted by the assembly the council has decided to ask the Governments of Cuba, Spain, Norway, and Switzerland to appoint representatives to form an international blockade commission to examine the application of article 16 of the covenant.

The commission may refer special questions to the provisional economic and financial commission, the permanent advisory commission on naval, military, and air questions, to legal experts, and to any other organization belonging to the League of Nations.

Pending the conclusion of the commission's labors the council instructs the secretary general to ask each member of the league to send him information for the use of the blockade commission as to the means available for fulfillment of obligations arising out of article 16 of the covenant, and also all other information and memoranda likely to be of use in the drawing up and subsequent carrying out of the program adopted by the assembly at Geneva.

The commission shall submit its report to the council before the end of August, 1921.

The secretary general is directed to bring this resolution to the knowledge of all members of the league.

TRAFFIC IN WOMEN AND CHILDREN—WHITE-SLAVE TRAFFIC.

The secretary general stated that pursuant to the resolution of the assembly on December 15, 1920, on the subject of the traffic in women and children he was preparing a questionnaire to be sent without delay to all Governments, and was addressing a letter to the Governments signatory to the 1904 and 1910 conventions, urging them to put these conventions into immediate operation, if this had not already been done. In further pursuance of the resolution the council resolved on February 22, 1921, to request the secretary general to invite, on its behalf, these signatory countries and any other Governments willing to take part to send representatives to an international conference to be held at the seat of the League of Nations during the last week in June.

DEPORTATION OF WOMEN AND CHILDREN.

Representative Imperiali, Italy, submitted a report, February 22, on the deportation of women and children in Turkey and neighboring countries. He said the assembly had been rightly worried by news that barbarous deportations of women and children still continued in Turkey and adjacent countries, and had invited the council to appoint a special commission of inquiry. It was doubtful, however, whether such a commission could accomplish any useful result. Turkey and adjacent countries, except in areas occupied by allied troops, were at present dominated by governments which had not been recognized, to whom no diplomatic representatives had been accredited, and who were at war with certain members of the league. It was very uncertain whether a visit to these regions would be possible. It would be possible, however, to request a small number of persons, say three, specially interested in this question, and already on the spot, to collect information, make inquiries, exchange views with the view to determining a program to be followed when possible. In addition, members of council might request from their Governments all possible information and assistance. Report adopted.

EXCHANGE OF GREEK CHILDREN AND BULGARIAN PRISONERS.

A memorandum by the secretary general showed that Dr. Nansen had stated to the assembly that about 400 Bulgarian prisoners were held in Greece pending return of all Greek children from Bulgaria; that Greece had agreed to return these prisoners if the council would see that the Greek children were returned. After correspondence the council subsequently gave Greece this assurance.

PROTECTION OF MINORITIES IN FINLAND AND ALBANIA.

Another memorandum by the secretary general showed that pursuant to resolution by assembly the council took up the matter of protection of minorities with Finland and Albania on December 20, 1920; that on February 23 Finland was still preparing a memorandum for submission to council; and that Albania had replied accepting in full the principles of the minorities treaties.

REPATRIATION OF PRISONERS.

The secretary general in a memorandum to the council on February 20, 1921, summarized Dr. Nansen's report on prisoners of war to the assembly, showing that intervening time had not brought the financial assistance so urgently needed to complete the work.

AUDIT OF SECRETARIAT'S ACCOUNTS.

Pursuant to the assembly's resolution of December 17, 1920, the council on February 23, 1921, requested the Swiss Government to permit its audit department to audit the accounts of the secretariat.

EASTERN GALICIA.

Complaints regarding Polish occupation of eastern Galicia were referred on February 22 to the principal powers to whom sovereignty over this region had been transferred by treaty of St. Germain.

CHILDREN IN WAR-AFFECTED COUNTRIES.

Representative Balfour reported on February 23 that the assembly had on December 15 invited the council to consider means of morally assisting relief work among children in war

areas—that it had been brought out in the assembly discussion that this work was being admirably performed by voluntary organizations, but recommended that the council express its appreciation of their efforts and the hope that they would continue. Report adopted and resolution passed as suggested.

TYPHUS IN POLAND.

By memorandum the secretary general on February 23 reviewed the work against typhus in Poland pursuant to the assembly resolution of December 7, 1920. It showed the work to be progressing systematically and effectively, the Polish Government having budgeted the large sums required by the league as a condition of its own expenditure, and that the bodies mentioned in the assembly resolution would be coordinated into an advisory board which would meet soon at Warsaw.

MANDATES.

On February 23, 1921, a letter from the Secretary of State of the United States, Hon. Bainbridge Colby, to the council, dated February 21, 1921, was submitted to the council.

The letter stated that the United States Government had been informed that the council at its present meeting would consider at length the subject of mandates, and took this opportunity to deliver to the council a copy of its note of November 20, 1920, to the British Government on this subject.

The attention of the council was invited to the request in that note that the draft-mandate forms be communicated to the United States Government before submission to the council in order that the council might have the opinion of the United States on the form of such mandates and a clear indication of the basis on which the approval of the United States, which was essential to the validity of any determinations that might be reached, might be anticipated and received. The letter referred to a further statement in that note to the effect that the establishment of the mandate principle, a new principle in international relations and one in which the public opinion of the world was taking especial interest, required the frankest discussion, and that suitable publicity should be given the mandate drafts to be submitted to the council in order that the fullest opportunity might be given to consider their terms in relation to the obligations assumed by the mandatory powers and the respective interests of all Governments which deem themselves concerned or affected.

The letter recited that this note had been transmitted to the Governments of France and Italy, requesting an interpretation by each Government of the provisions of the agreement between Great Britain, Italy, and France, signed at Sevres August 10, 1920, relating to the creation of spheres of special interests in Anatolia in the light of the United States note of November 20, 1920, to the British Government; that a reply had thus far been received only from the French Government directing attention to article 10 of the Sevres treaty, which provides in favor of nationals of third powers for all economic purposes free access to the so-called zones of special interest.

The letter stated that the United States Government understood that the council at Geneva, on December 17 last, approved among other mandates a mandate to Japan embracing all the

former German islands in the Pacific Ocean north of the Equator and reciting:

Whereas the principal allied and associated powers agreed that in accordance with article 22, Part I (covenant) of said treaty, a mandate should be conferred on the Emperor of Japan to administer said islands, and have proposed that the mandate should be formulated in the following terms.

That this statement was incorrect because the United States, one of the principal allied and associated powers, had not agreed to such terms, nor that a mandate should be conferred on Japan covering the islands above described; that the United States had never consented to the inclusion of the Island of Yap in any proposed mandate to Japan, but, on the contrary, when a mandate for these former German islands north of the Equator was being discussed, President Wilson, on behalf of the United States, was particular to stipulate that the disposition of Yap should be reserved for future consideration.

The letter stated further that the United States Government was subsequently informed that certain of the principal allied and associated powers were under the impression that the reported decision of the supreme council, sometimes described as the council of four, taken at its meeting on May 7, 1919, included or inserted the island of Yap in the proposed mandate to Japan; that the United States Government in notes addressed to Great Britain, France, Italy, and Japan had set forth at length its contention that Yap had in fact been excepted from this proposed mandate and was not to be included therein; that furthermore, by direction of President Wilson, these Governments were informed that the United States Government could not concur in the reported decision of May 7, 1919, of the supreme council; that these Governments were advised the reservations as to Yap were based on the view that this island necessarily constituted an indispensable part of any scheme or practicable arrangement of cable communication in the Pacific, and that its free and unhampered use should not be limited or controlled by any one power.

The letter stated further that while the United States Government had never assented to the inclusion of Yap in the proposed mandate to Japan it should be pointed out that even if one or more of the other principal allied and associated powers were under a misapprehension as to the inclusion of this island in the reported decision of May 7, 1919, nevertheless the notes above mentioned made clear the position of the United States; that when these notes were sent to the Governments above mentioned a final agreement had not been reached as to terms and allocation of mandates covering the former German islands in the Pacific; that thus the position of the United States was made clear long before December 17, 1920, the date of the council's meeting at Geneva; that as one of the principal allied and associated powers the United States has an equal concern and an inseparable interest with the other principal allied and associated powers in the overseas possessions of Germany and concededly an equal voice in their disposition, which it is submitted can not be undertaken or effected without its assent; that it can not be bound by the terms and provisions of said mandate and protests against the reported decision of December 17 last of the council, and requests that the council, having

obviously acted under a misapprehension of the facts, reopen the question for the further consideration which proper settlement requires.

The following reply was approved by the council on March 1, 1921:

After defining what it took to be the contention of the United States, namely, that her approval was essential to the validity of any decision respecting mandates, the council stated that the American Government would itself recognize that the situation was complicated by the fact that the United States had so far abstained from ratifying the peace treaty and had not taken her seat in the council of the League of Nations.

The council's reply stated that it would not dwell on the controversial aspect of the American note, but preferred to examine the subject on the broad basis of international cooperation and friendship in the belief that this course would appeal to the spirit of justice of the Government and people of the United States.

The council had made several important decisions regarding mandates which it hoped would commend themselves to the United States. It had already determined on February 21, before the American note was received, to postpone consideration of the "A" mandates for former Turkish possessions, including Mesopotamia, and no conclusion on "A" mandates would be reached until the United States Government had had opportunity to express its views.

The council had expected finally to approve at this session the "B" mandates for the former central African colonies of Germany, but that in view of the desire expressed by the United States the council would defer consideration until the next session in May or June, and that it was hoped the delay would not hamper the administrative progress of these territories.

The reply of the council then invited the United States to take part in the discussions at its forthcoming meeting, when it was hoped final decisions would be taken as to "A" and "B" mandates, stating that a problem so intricate and involved as that of mandates could hardly be handled by the interchange of formal notes, but could be satisfactorily solved only by personal contact and direct exchange of opinion.

As to "C" mandates for former German possessions in South Africa and the Pacific, the council had not the same liberty of action as in the "A" and "B" types. The allocation of mandates was a function of the supreme council and not of the league council, and the league was concerned not with allocation but with administration of territories. The league council having been notified in the name of the principal allied and associated powers that all the German Pacific islands north of the Equator had been allocated to Japan, it merely fulfilled its responsibility of defining the terms of the mandate. Therefore any misunderstanding as to the allocation of Yap was between the United States and the principal allied powers rather than between the United States and the league. However, the council had hastened to forward the American note to the Governments of France, Great Britain, Italy, and Japan.

The council closed its reply with the hope that its explanations would be satisfactory to the United States and that re-

ciprocal good will would find a solution in harmony with the generous spirit which inspired the principle of the mandates.

RESOLUTIONS OF ASSEMBLY ON TRAFFIC IN ARMS.

Pursuant to the various resolutions of the assembly on the subject of armaments, the council on February 25, 1921, directed the secretary general to transmit the assembly resolution urging prompt adhesion to and ratification of the arms traffic convention of September 10, 1919, to both the Governments signatory and nonsignatory to that instrument, adding the council's appeal to that of the assembly for immediate and favorable action; to ask the Belgian Government to permit its "bureau international" to take over the application of the measures relating to the traffic in arms and munitions contemplated in the arms traffic convention and to report every three months to the permanent advisory commission on military, naval, and air questions at Geneva; also directed the permanent advisory commission, in conjunction with the temporary armaments commission to be shortly authorized, to study the question of the private manufacture of munitions and war material as contemplated by article 8 of the covenant and report to the council; also resolved that the temporary armaments commission be requested to study and submit to council in near future all evidence and proposals connected with the question of reduction of armaments, due consideration being paid to the preexisting conditions on which the assembly has made the definite and general limitation of armaments dependent, the commission to include six persons of recognized competence in political, social, and economic matters; six members of the permanent advisory commission for naval, military, and air questions selected by that commission; four members of the provisional economic and financial commission selected by that commission; six members of the governing body of the international labor office, three to be employers and three to be workmen representatives selected by that governing body; also resolved that the permanent advisory commission shall study the policy of mutual verification between members of the league of military information exchanged according to article 8 of the covenant, assuming that such verification is rendered admissible by an amendment to the covenant; also resolved to send to the Governments of States members of the league the recommendation adopted by a majority of the assembly with regard to the limitation of naval, military, and air expenditure during the two fiscal years following the next budget and to ask them to be so good as to inform the council, through the secretary general, before May 1 what action they proposed to take on this recommendation.

AALAND ISLANDS.

The secretary general presented on February 25, 1921, an account of the steps taken to date by the Aaland Islands commissions practically as follows:

In the second half of October Baron Beyens and Mr. Calonder began investigation at Paris, collecting documents and hearing verbal statements, and left on November 3 for Stockholm without waiting for Mr. Elkus, the American member of the commission who went from the United States to Sweden direct. After his arrival the commission remained at Stockholm until

November 25, then went to Helsingfors, remaining until December 8. They visited the Aaland Islands from December 8 to December 12, and returned to Paris via Stockholm and Berlin.

Baron Beyens, president of the commission, was authorized to draft the report which he completed February 5. As it had to be read again and approved by the commissioners, it was necessary to wait for Mr. Elkus, who had returned to the United States as soon as the commissioners came back to Paris. In reply to requests from his colleagues and Mr. Bourgeois to return by the middle of February, he pleaded ill health and regretted he could not come again before the middle of March. The report when signed by the three commissioners would be sent as promptly as possible to the members of the council.

ARMENIA.

On February 25, 1921, the council heard and adopted a report from the secretary general bringing the Armenian situation to date—a report in substance as follows:

On December 18, 1920, the assembly had requested the council to safeguard the future of Armenia, referring for advice, if necessary, to the members of the league. Since President Wilson and the Spanish and Brazilian Governments offered their services a number of events had occurred and these would now be detailed.

The Armenian Government with which the league had been dealing had ceased to exist, having been replaced near the last of December by a Government more or less dominated by the Russian bolsheviks. According to a prominent Armenian, this change offered the Armenians the only hope of preserving the remnant of their country and their race. It meant, however, the establishment of relations between Armenia and soviet Russia, and made relations between Armenia and the western countries more difficult.

On December 2 the Armenian Government had been forced to sign at Alexandropol a treaty with the Turkish nationalists confining its territory to Russian Armenia less the Province of Kars and certain neighboring areas, the future of which was to be decided by a plebiscite. Turkish Armenia was to remain in the hands of the Turks, and also, at least provisionally, part of what since 1878 formed a portion of Russian Armenia. Information from an Italian source was to the effect that the new Armenian Government had protested against this treaty and appealed to the soviet government for intervention. The latter had called a conference at Moscow, inviting the Turkish nationalists, Azerbaidjan, and Armenia to attend. The nationalists had replied that they intended to maintain the treaty of Alexandropol.

President Wilson had, on January 2, 1921, announced his decision as to the boundary of Armenia, allotting to her an extensive territory, including Trebizond, Erzingan, Erzerum, Mush, Bitlis, and Van to westward of former Russian frontier. Ratification and application of the treaty of Sevres were under negotiation at London at present, but the Turkish nationalists did not recognize that treaty.

President Wilson in his letter of January 22 to the council pointed out the difficulties of the Armenian question due to nonexecution of the treaty of Sevres and emphasized the close relationship between this question and that of the Russian

frontiers. He hoped that the powers would issue a declaration to soviet Russia to the effect that she was in no danger of external aggression.

The council could not determine a line of action until it knew the result of the negotiations at London, where not only the allied powers and Turkey but the Turkish nationalists were represented. Future developments must be closely watched.

The council directed that a letter be sent the Governments of Great Britain, France, and Italy, asking an exchange of views on Armenia, and calling attention to the assembly resolution of December 18.

PERMANENT COURT OF INTERNATIONAL JUSTICE.

A report by Commendatore Anzillotti, representative of Italy, considered and adopted by council on February 25, 1921, referred to the fact that the assembly when approving, December 13 last, the statute for the permanent court requested the council to submit the statute to members for adoption in form of a protocol, to be signed and ratified. The protocol for signature was opened at the office of the secretariat on December 16, and certified copies of protocol and statute were sent all members, which they were asked to sign and ratify.

To date 27 had signed, to wit: Brazil, China, Colombia, Costa Rica, Cuba, Denmark, France, Great Britain, Greece, India, Italy, Japan, Luxemburg, Netherlands, New Zealand, Norway, Panama, Paraguay, Poland, Portugal, Salvador, Siam, South Africa, Sweden, Switzerland, Uruguay, Venezuela.

Seven had also exercised the option of accepting the compulsory jurisdiction of article 36—Portugal, Uruguay, and Luxemburg without condition; Costa Rica, Denmark, Salvador, and Switzerland on condition of reciprocity.

Certified copies of protocol of signature, including signatures obtained, were sent February 8 to all members and to the other Governments mentioned in the annex.

Sweden having already signed, ratified on December 31, 1920, but no other country had at this date, February 25, 1921, ratified.

The report pointed out that if the court was to be established by the beginning of 1922 its members must be elected at the September session of the assembly. Under the court statute the secretary general was to write at least three months before the election to the national groups of the arbitration court at The Hague, or the persons specially appointed for the purpose, requesting them to propose candidates for election by assembly and council as judges. Such steps could not be taken, except by special authority, unless it was certain the court would be constituted. An assembly resolution of December 13 made the constitution of the court depend on ratification by a majority of members of the league; that is, at least 24. To date, although 27 had signed, only 1 had signed and ratified. The council, following the suggestion of the report, authorized the secretary general to send out a pressing appeal to the Governments for ratification, and to take steps, if necessary, on or after April 1 for obtaining a conditional nomination of candidates if the court statute had not been ratified by 24 members at that date.

RELIEF WORK IN EASTERN EUROPE.

The council was advised on February 26, 1921, that the League of Red Cross Societies had accepted responsibility for coordina-

tion of relief efforts in eastern Europe and would organize a trained personnel.

The council expressed its appreciation and asked that the League of Red Cross Societies and the international committee of the Red Cross cooperate in order to coordinate voluntary relief work in all countries of Europe.

FREE CITY OF DANZIG.

Poland and the free city of Danzig having failed to agree on a president of the Danzig port and waterways board, the council on February 26, 1921, under the Danzig-Poland convention, named a citizen of Switzerland, Col. de Reynier, to serve three years.

The council declined to permit manufacture in the small-arms factory at Danzig of 50,000 military rifles for Peru or to permit general manufacture of arms for three years; existing bona fide contracts, however, to be completed.

It was announced that Poland and the free city of Danzig had agreed each to pay half the expense of the post of high commissioner of Danzig.

The Senate and Popular Assembly of Danzig were asked to express their opinion on the suggestion of the council that a new parliament be called to frame a new constitution providing better guarantles for a stable and peaceful political situation.

PASSAGE OF INTERNATIONAL TROOPS THROUGH SWITZERLAND.

On February 26 the Swiss minister in Paris appeared before the council, having asked to be heard on the question of the passage of international troops through Switzerland to maintain order during the plebiscite of Vilna.

The Swiss Minister, M. Dunaut, said that notwithstanding Switzerland's respect and loyalty toward the league she was in a special position resulting from her perpetual neutrality; that neutrality was the invariable basis of her foreign policy; that the council at its London meeting on February 13, 1920, had recognized this perpetual neutrality as an element of international stability.

He said further that Switzerland was obliged to avoid anything that would produce in the public mind the impression that this neutrality was likely to be prejudiced; that she would fulfill her duty of solidarity in all cases where the principle of neutrality was not involved, but reserved the right, in accordance with the sovereignty enjoyed by all States, to decide in each particular case under what conditions she would offer assistance.

He asserted that before Switzerland could permit the passage of troops through her territory two conditions must be fulfilled; first, an agreement reached definitely and freely between the interested States; second, there must be no danger of an armed conflict. He said that the Federal Council of Switzerland did not question the pacific character of the troops intended to maintain order during the plebiscite of Vilna, but after careful study of the question had decided that the two indispensable conditions had not been fulfilled; that the soviet government was hostile to the intervention of the league and was said to be preparing a military offensive in combination with revolutionary movements in Europe; that if this offensive took place the evacuation of international troops would be diffi-

cult and reinforcements might be necessary; that an armed conflict might ensue in spite of the League of Nations, and that this would involve more than mere police operations; that in this event Switzerland would either be obliged to withdraw her cooperation or abandon the neutrality to which the Swiss people were inveterately attached; that rather than risk having to choose between a voluntary encroachment on her neutrality and an attitude that might be construed as disloyal to the league, the Swiss Government had thought well to reply at once in the negative to the request of the league for the passage of international troops through Switzerland to maintain order during the plebiscite of Vilna.

Representative Bourgeois, replying, said he would not enter on a discussion of the legal points involved in the perpetual neutrality of Switzerland; that he would draw attention to the great moral injury which had been caused to the League of Nations by the decision of the Swiss Federal Council; that Swiss public opinion had not grasped the extent of the injury, because it had regarded the matter as one of internal policy.

He said that the Federal Council of Switzerland had made its decision without giving the league council an opportunity to inform it under what condition the transport of troops would be undertaken; that a preliminary exchange of views would have prevented the incident from arising.

He stated that Switzerland had not only been cordially admitted to the league but on conditions determined by herself; that the city of Geneva had been chosen as the seat of the league and the Swiss President made the assembly's honorary president; that, with these events in mind, the Swiss Government might have done the council the honor of requesting an explanation of its policy; that neither the council nor the interested Governments had proposed to send an international contingent without guaranteeing its security; that the request addressed to Switzerland had been merely a preliminary precaution in order that provision might be made well in advance for a study of the technical side of the problem; that the conditions laid down by Switzerland were those the council had always had in view; that these conditions had been secured before the federal council took its decision; that it was hoped that after these observations an agreement might be reached.

Discussion was then suspended and at a public meeting of the council on March 4 resumed.

PUBLIC MEETING OF COUNCIL MARCH 4—SWISS NEUTRALITY.

The Swiss minister said that the Swiss Government had learned with regret that its refusal to allow international troops to pass through Swiss territory had been regarded as causing injury to the league; that the Swiss Government had always desired to associate itself with the efforts of the league for the maintenance of peace; that there had been a misunderstanding and that the real nature of the request now appeared.

He said that the Swiss Government was bound to avoid all possibility of a conflict between the principle of perpetual neutrality of Switzerland and her obligations under the covenant; that apart from these obligations Switzerland fully recognized the moral duty of solidarity incurred by all members of

the league; that closer relations would henceforth exist between Switzerland and the league, and any cases which might arise would in future be examined in collaboration and with complete mutual confidence.

Representative Bourgeois replied that the council had heard with satisfaction the declaration of the Swiss delegate; that the misunderstanding had been explained and the incident closed; that the council had been especially happy to hear the Swiss delegate emphasize the duty of collaboration on the part of all nations and the necessity for mutual confidence.

POLAND-AUSTRIA CONTROVERSY.

Under the auspices of the council an agreement was reached between Poland and Austria on the status of Galician Jews, and announcement thereof made to the council on March 3, 1921.

ORGANIZATION OF INTELLECTUAL LABOR.

After considering the resolution of the assembly on the international organization of intellectual labor the council decided that under present world conditions intellectual cooperation could best be advanced by means of voluntary efforts, and that the league could for the present do better service by helping voluntary exertions than by attempting to organize intellectual labor, and that the league's funds would hardly support a technical intellectual organization in connection with the league on such a scale as its purpose and worth deserved.

HEALTH ORGANIZATION.

Pending the development of the health organization recommended by the assembly the council decided on March 2, 1921, to set up a temporary technical committee to aid the council in performing its duties under the covenant, this committee to have a medical secretary. In the meantime it was decided that negotiations should begin with the States composing the international office of public hygiene, created by the convention of 1907, with a view to merger into the general commission suggested by the assembly.

DISPUTE BETWEEN LITHUANIA AND POLAND.

On March 3, 1921, the council adopted a resolution on Lithuania and Poland to the following effect:

The council, after hearing the report of its committee on the Polish-Lithuanian dispute, the report of the civil commission on the plebiscite, and the observations of representatives of the Polish and Lithuanian Governments, observes—

(1) Both parties, though maintaining acceptance of resolution of October 28, have created obstacles and delays from month to month; Lithuania by repeated reservations and objections, Poland by slowness in reducing Gen. Zeligowski's troops.

(2) These delays have prevented the speedy plebiscite originally contemplated; to avoid suspicion of partiality or injustice a long period of preparation would now be necessary.

(3) Both parties seriously object to boundaries proposed by civil commission and its plans for the plebiscite.

The council believes that a more effective procedure should be devised and suggests direct negotiations between the parties on equal terms at Brussels within one month under the presidency of Mr. Hymans, in order to arrive at an agreement on all questions in dispute.

Pending these negotiations—

(1) Polish Government to undertake to regain control over Gen. Zeligowski and his troops and to reduce his strength at once to one division of 15,000 men at most.

(2) Troops in disputed zone not to be reenforced.

(3) Lithuanian troops to return to their normal station in interior, covering troops on line of demarcation not to exceed two divisions.

(4) Lithuanian Government to contribute toward food supply of civil population and seed supply, distribution of foodstuffs from Lithuania to be supervised by the military commission of the league, which shall make all the necessary arrangements. Provisioning of Polish troops in disputed zone to be undertaken by Poland, which shall make no requisitions or compulsory sales except for meat and forage. Goods from Lithuania not to be requisitioned.

(5) Administration of zone to continue as at present; no fresh election to be held before signature of final agreement unless president of conference consents.

(6) Military commission to remain on the spot to insure that military clauses are carried out and supervise food supplies. Agreement reached at Brussels to be confirmed by council.

The representatives of Poland and Lithuania agreed to transmit these recommendations to their Governments and furnish reply within 10 days.

CLOSING ADDRESS OF PRESIDENT DA CUNHA, BRAZIL—TRIBUTES TO WORK OF ASSEMBLY AND COUNCIL.

The twelfth session of the council was closed March 4, 1921, by an address by the presiding officer, Mr. da Cunha, of Brazil.

He said in part that in the appeals constantly addressed from all sides to the league's pacifying influence could be seen proof that it had started a new era of justice and peace.

The treaty of Versailles had undoubtedly provided the league with an admirable constitution under the inspiration of the American President, whose ideal, described by superficial or reactionary critics as Utopian, was, in the opinion of the speaker, solidly based on the most living realities of our time.

The assembly had given proof of the qualities essential to the perpetuity of the league—of capacity to think and to act in the interest of a common humanity. Without precedents or models it had given evidence of efficiency and vitality. Its work in completing the creation of The Hague court was one of the best illustrations of its success—an institution which The Hague conference of 1907 failed to establish. Its most characteristic and promising feature was identity of aspirations, community of ideas. Its principal aim was to preserve unity and the general point of view. Never before in a meeting of nations was there such concord, such an atmosphere of pacification and cooperation. Relations of mutual respect and deference prevailed among all States, regardless of the natural inequalities of power and wealth. The principle of equal sovereign rights was recognized and consequently that of equal and similar obligations.

The nations composing the assembly represented a population of 1,400,000,000 souls—they showed a clear appreciation of the interdependence of their interests and destinies; they acted on these words of a philosopher:

Nature could not intend to base the prosperity of one people on the ruin of other peoples, for this would be to set in opposition to each other two virtues which are both inspired by nature, the love of country, and the love of humanity.

The speaker also quoted with approval at this point the recent utterance of a distinguished statesman:

If the League of Nations had existed in 1914, the war would have been impossible.

The work of the council at the present meeting showed the increasing confidence of the world in its future.

He said the council still had before it the creation of the commission on mandates and the examination of the draft mandates proposed by the mandatory powers for the Arab countries of the former Ottoman Empire and for certain German colonies in Africa, with a view to putting them in force; that the communication to the council from the United States on this subject showed the growing importance of the work of the league, not only in relation to its own members but to all countries concerned in international affairs.

He referred to the work of Dr. Nansen in behalf of prisoners of war as an instance of the league's humanitarian achievements; to the agreement the league had brought about between Poland and Austria as to the treatment of Jewish immigrants. The council was now considering steps in behalf of Russian refugees from the bolshevik revolution, and would continue its efforts to find help for Armenia. While no solution had been reached in the dispute between Lithuania and Poland, actual hostilities had ceased since the league took up the matter in November, and this in itself was a desirable result.

He said that the council, by daily publications, had kept the public informed of its work.

The activities of the league were aiding humanity in its march toward a nobler future—and it would not be in vain that humanity had risen to the appeal of the numberless victims of the World War to prevent the return of such catastrophes, which are not only the ruin but the shame of the civilized world. After a year of the league's existence it looked certain that the light would dawn in the spirits of all men.

The speaker concluded with an expression of confidence that the United States would yet unite with the league.

SAAR BASIN GOVERNING COMMISSION.

The Official Journal contains the sixth general report of the Saar Basin Governing Commission of date January 25, 1921. It reviewed the work of the commission, stating that it had put into force the terms of the treaty of Versailles concerning the Saar Basin; that out of the small group of German and Bavarian subprefectures it had created an autonomous territory, having its own central administration, officials, law courts, railway organization, and police force; that the work of organization had been carried out under difficult conditions but without disturbance of public order; that it had been demonstrated that an international commission could administer the Saar Basin; and that the mission intrusted to the League of Nations by the treaty of Versailles had been justified.

DISPUTE BETWEEN COSTA RICA AND PANAMA.

The Official Journal shows correspondence on the dispute between Costa Rica and Panama, which may be summarized as follows:

On March 3, 1921, a telegram was received from Narciso Garay, secretary for foreign affairs for Panama, stating that on February 21 a detachment of the Costa Rican Regular Army occupied the villate of Nuevo de Coto in the district of Coto, which belonged to Panama, hoisted the Costa Rican flag, replaced the Panama authorities, took armed possession of the territory which was Panama territory; that this was done without provocation by Panama, without declaration of war

by Costa Rica; that on the contrary three months before, Don Ricardo Guardio, special envoy of the Costa Rican Government, had visited the President of Panama on a mission of peace, friendship, and fraternity; that as a result of the indignation of the people of Panama an improvised force of Panama volunteers reinforced the Panama police, attacked the invaders on the morning of February 27, and took them all prisoners; that on February 28 a second detachment of Costa Rican troops disembarked at Cóto, and after an hour's fighting was also captured; that later a similar fate befell a more numerous expedition which had succeeded in landing. That in view of these persistent attacks and the fact that Costa Rica had been a member of the league since last December, Panama voting to admit her, the sender denounced to the council these repeated acts of violence against a friendly and sister State; that he was confident these attacks against the peace of the world and the rights of Panama deserved the punishment prescribed in such cases by the covenant.

That the Government of Panama, defending its rights but amenable to any peaceful and reasonable solution, had accepted the good offices offered by the United States with a view to restoring peace and law in this region of the continent; that details would follow by post.

On March 4, 1921, the council cabled Costa Rica and Panama stating that it had heard of a state of tension between them; that the council deemed it the requirement of duty to bring these reports to the attention of these Governments who were members of the league and had solemnly and publicly subscribed to the high principles and obligations of the covenant and to request information as to the facts.

On the same day the council sent another telegram to Panama acknowledging receipt of telegram from Panama on March 3, stating that it learned with regret the reports of tension were well founded, but was happy to know that the United States Government had offered its good offices and that Panama had accepted them. That the council would be glad to be kept advised of developments.

On March 5 a telegram was received from the Panama Government informing the council that the Costa Rican Government, exasperated at failure to take Coto, had just invaded Panama from the north, occupying Guabito and Almirante and threatening Bocas del Toro, to which the small Panama garrisons had retired. That the aggression attempted at Coto had been repeated on a large scale and under more serious conditions. That Panama protested against acts of arbitrary violence for which Cost Rica was responsible as incompatible with the principles of a State belonging to the league.

On March 8 the secretary general received a cablegram from the Panama Government, saying that the telegram sent by United States Secretary of State Colby to the American legation in Panama with regard to mediation suggested acceptance by Panama of the arbitral award given in 1914 by Hon. Edward D. White, United States Chief Justice, in the frontier dispute growing out of the refusal of Costa Rica to accept the Loubet award. That this award had been given in 1900 by the French president in a frontier dispute between Costa Rica and Colombia, Panama's predecessor in sovereignty over the Isthmus.

That the White award had not been accepted by the legislative and executive powers of Panama, who were unanimously sustained by public opinion, the arbitrator having exceeded his powers and completely disregarded the essential condition of the arbitral agreement. That the Panama constitution laid down as the western limits of its national territory those fixed by President Loubet in the Rambouillet award of 1900. That the White award, whose only object was correctly to interpret the Loubet award (but which nevertheless took no account of it), had the disadvantage of [word illegible] and essentially affects the national constitution of Panama. That mediation in this form would encounter moral, legal, and constitutional difficulties and would mean the accomplishment of Costa Rica's object, thus rewarding her for her excesses committed against Panama to the detriment of peace and justice. That Panama would agree [doubtful word] to withdraw her troops from Coto, which lies within the line of the status quo, leaving, however, her civil authorities there, provided Costa Rica withdraws her forces from the Panama territory of Bocas del Toro. That Panama could only suggest to the United States that if the nonacceptance of the White award should offend the American Government and render it unfitting to serve as an impartial and disinterested mediator, Panama would be prepared to submit its disputes with Costa Rica to the permanent court of arbitration at The Hague or to the permanent court of international justice.

On March 8 the Costa Rican Government replied, informing the Secretary General that thanks to the mediation of the United States the dispute was virtually at an end. That Panama had not only refused to accept the arbitral award by Chief Justice White in 1914 but since that date had invaded fresh territory. That Costa Rica, after calling Panama's attention to these incursions, sent a detachment of 25 men to Coto, a spot some 20 kilometers on the Costa Rican side from the frontier line as fixed on the Pacific slope by President Loubet's award of 1900 and confirmed by the treaty of 1910. That this detachment was captured and also another of the same size. That a third detachment of 65 men sent to support the two former was cruelly massacred by Panama forces of much greater strength. That the President of Panama issued a proclamation summoning the nation to arms, that Costa Rican citizens were insulted and attacked in the streets, that the escutcheons of the Costa Rican consulates at Panama and Colon were pulled down by the mob. That Costa Rica thereupon felt obliged to undertake legitimate reprisals, and on March 4 occupied the Panama post of Almirante. That at this juncture the Washington Government offered its mediation which had been accepted. That Costa Rica wished to emphasize the fact that Panama citizens living in Costa Rica had been scrupulously respected and that the conduct of its troops in invaded territory had been exemplary. That all responsibility for the dispute rested on Panama.

On March 11 a telegram was received from the Panama Secretary for Foreign Affairs stating that during the night of March 7 all the Costa Rica troops which had invaded the Panama Province of Bocas del Toro on the Atlantic coast embarked for Costa Rica. That thereupon Panama ordered its troops out

of Coto on the Pacific coast, where the first Costa Rican attack occurred, leaving there, however, the civil police authorities of Panama in conformity with conditions of mediation; that hostilities were suspended. That the principal condition of Panama's acceptance of mediation was refusal to accept the White award. That Panama reserves the right in the course of medition to establish and prove the responsibility of Costa Rica for the attack, and in addition to demand indemnity for expense of defense measures. That Costa Rican prisoners and wounded were being treated in conformity with the international conventions which Panama had signed and to which she adheres in a manner befitting a chivalrous and civilized nation.

On March 12, 1921, the secretary general replied to the Costa Rican message, stating that the council was glad to learn that Costa Rica had accepted the mediation of the United States and considered the dispute was in process of settlement; that the council hoped a final arrangement would be reached in accordance with the spirit of the covenant; that the council would be glad to be kept advised of developments.

The same day the secretary general acknowledged the last Panama message and stated that the council has already expressed to Costa Rica pleasure at the news that honorable settlement in accordance with the spirit of the covenant was in sight; that the council was happy to know that Panama shared these views, and that the troops had been withdrawn by both sides.

PERMANENT MANDATES COMMISSION.

It was noted in the journal of April 26, 1921, that the persons selected for the permanent mandates commission by the council on February 22, had all agreed to serve except W. Cameron Forbes, of the United States.

He had replied on March 31, that when he was approached concerning the place he was willing to assume the responsibility and was well disposed toward the suggestion; that, however, he had since received a request from the President of the United States to proceed to the Philippine Islands and, associated with Gen. Wood, to report on conditions there; that he regretted to state that in view of this new duty the United States Government had advised him that it would be inadvisable for him to assume any responsibility in connection with the commission on mandates.

Those accepting were Mr. Beau, France; Mrs. Anna Bugge-Wicksel, Sweden; Mr. Freire d'Andrade, Portugal; Mr. W. Ormsby Gore, Great Britain; Mr. Pierre Orts, Belgium; Mr. van Rees, Holland; Mr. Theodoli, Italy; Mr. Kunio Yanagida, Japan.

POLAND AND LITHUANIA.

The Official Journal showed that while some of the details of the council's plans for the status quo in the Poland-Lithuania dispute were unacceptable to the parties, both had agreed to negotiate all questions at a meeting under the presidency of Mr. Hymans at Brussels, beginning April 18, 1921.

REESTABLISHMENT OF AUSTRIA'S CREDIT.

The journal contained a notation of date April 11, 1921, that Great Britain, France, Italy, and Japan on the understanding

that the Austrian Government desired the application to Austria of the League of Nations international credit scheme had agreed in principle to suspend their liens under the treaty of St. Germain in respect of claims against the Austrian Government for the cost of armies of occupation, for relief credits, and for reparations, provided that the interested Governments would agree to similar postponement.

The finance section of the provisional economic and financial committee of the league had been asked by these Governments to hold a meeting within 15 days to consider the Austrian position and the services which the finance section could render in restoring Austrian credit.

This committee met at Paris on March 28 and reported a plan for submission to Austria and the Governments concerned.

AUDIT OF LEAGUE'S ACCOUNTS.

The audit of the league's accounts by the Swiss Government showed its financial position as of December 31, 1920, to wit, an excess of income over expenditure of over 3,000,000 gold francs. This was on the assumption that all members had paid their contributions by that date. This was not the case at the time, but practically all were paid during the first months of the year. The audit stated that the books of the league were kept in an irreproachable manner.

COSTA RICA—PANAMA.

On May 2 the secretary general received a cablegram from Panama stating that at the end of March the Panama President had convened the National Assembly, saying in his message thereto that in view of the offered mediation of the United States, troops of both parties had been withdrawn; that The Hague convention of 1907, signed by Panama and the United States, had indicated and offered the latter's rôle as mediator; that notwithstanding this Panama had been surprised to receive on March 16 a note from United States Secretary of State Hughes inviting her to submit to the White arbitration on the frontier dispute; that Panama had declared this arbitration null and void under international law and had declined to submit to it; that Chief Justice White had been asked to fix the Loubet line of 1900; that, going outside of his jurisdiction, he had declared such line and the Loubet ruling itself to be nonexistent and had proceeded to make a decision as if that line had never existed; that he thus violated the conditions of the arbitration agreement and the constitution of Panama, which based her territorial sovereignty on the Loubet line; that the Panama Government immediately notified the arbitrator, Costa Rica, and the United States of its nonacceptance; that Panama's reasons for not accepting the White verdict were the same as those which caused the United States Government to reject the judgment of the King of Holland in 1831 with regard to the frontier dispute with Great Britain; that Panama, anxious to prove her love of peace and to cooperate in the interest of justice in Central America, suggested in a note to the United States, approved by the Panama Assembly and setting forth the Panama view, as a means of settlement a plebiscite in the territories under dispute with the mediation of the American Government.

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THIRTEENTH SESSION OF COUNCIL, GENEVA, JUNE 17–28, 1921.

MANDATES.

The opening meeting of the thirteenth session of the council was held in public. The president for the session was Viscount Ishii, of Japan.

Representative da Cunha, Brazil, made a statement calling attention to the fact that at the last session it had been decided to postpone consideration of draft mandates "A" and "B"; that after that decision had been made a note regarding the mandate question had arrived from the United States declaring that in its opinion the future of all the colonies and territorial possessions to be governed under the mandatory system could not be definitely decided without its consent; that in answer to this note the council had invited the United States to send a representative to the next session of the council; that to the great regret of the council no answer to this invitation had been received nor any information which would enable the council to ascertain the exact views of the United States; that as a result a situation most unfavorable to the immediate solution of a problem of the highest importance for the welfare and prosperity of the peoples of the territories to be administered under the mandatory system had arisen.

Mr. da Cunha said that he then addressed a letter to the principal allied powers (sending a copy to the United States) asking them to come to an understanding with the United States with regard to mandates. He expressed the wish that the final decision in this matter, which the council desired to make before the coming session of the assembly, would be based on a complete and cordial understanding among the allied and associated powers.

The letter to which Mr. da Cunha referred was dated June 15, 1921, and called attention to the fact that "A" and "B" mandates were on the agenda for the coming meeting of the council; that they had been on the agenda for the February meeting, but that discussion was adjourned after receipt of a note from the United States to the effect that it could not accept any decision on this question reached without its approval, the note pointing out that since the colonies and territories which as a consequence of the late war had ceased to be under the sovereignty of the States formerly governing them had been ceded by the peace treaty to the allied and associated powers, no allocation of mandates over these colonies and territories could be valid without the formal approval of the United States, and holding that the United States had never given its approval.

The letter went on to say that the question thus raised by the Government of the United States did not directly concern the League of Nations, but should be the subject of negotiations between the principal allied and associated powers, since these colonies and territories had in fact been ceded to these powers and not to the League of Nations; that the action of the council of the League of Nations could only begin, therefore, with its definition of the terms of mandates after the mandates were finally allocated to the mandatory powers.

This letter averred that the council did not doubt that all the allied and associated powers were equally animated by the desire to assure at the earliest possible moment to the populations coming under the mandatory system the conditions of

security, prosperity, and regular development to which they are entitled under the covenant; that they would doubtless recognize, therefore, the necessity of substituting as soon as possible the system of mandates under which the rights and duties of the parties are clearly defined for the somewhat strict military occupation and administration which was a natural sequel of the war; that, on the other hand, the council preferred not to exercise the functions conferred upon it by article 22 of the covenant so long as the conditions requisite to their exercise had not been fulfilled, especially since the title of the mandatory powers to execute one mandate had not been accepted and defined as the result of a complete agreement between the principal allied and associated powers.

The letter requested the principal allied powers to be good enough to make every effort to arrive at a solution of the points under discussion between them and the United States, so as to enable the council to settle the whole question of mandates before the next meeting of the assembly, expressing the hope that even if an agreement could not immediately be reached on every point under discussion between the allied Governments and the United States they would nevertheless agree that it was desirable that the council be placed without further delay in a position to fulfill its responsibility for the well-being and prosperity of the populations of the mandated territories.

The letter ended by stating that any indications from the allied and associated powers that the league would be placed in position to perform its duties would be warmly welcomed by the council, and that the council considered it essential that the allied powers should before the next assembly completely agree with the United States, in order that the council might on defining the terms of the mandates fulfill one of its main responsibilities under the covenant.

The council thanked Mr. da Cunha for his work as president, and Viscount Ishii took the chair as his successor.

BUDGET—PUBLICATION OF PROCEEDINGS.

The council then went into private session to consider the budget.

It was decided that the minutes of all meetings should be published daily—no minute dealing with a particular subject to be published until discussion was completed and a decision reached.

The report on the budget for 1922 was adopted and the secretariat congratulated on the fact that there was no marked increase in the estimates.

REPORT OF INVESTIGATION INTO CONDUCT OF SECRETARIAT.

The report of the committee of inquiry into organization, salaries, allowances, methods, efficiency, and so forth, of the secretariat was presented and ordered to be transmitted to the assembly. The chairman in a letter transmitting the report to the secretary general stated that the chairman was pleased to announce how favorable the committee's general impression had been, and to express its entire confidence in the secretarial force of both the league and the international labor office.

LEAGUE EXPENSE.

The committee on allocation of league expenses reported a modified classification of members, based on the plan of the

Universal Postal Union, for transmission to each member of the league and the assembly.

APPLICATION OF HUNGARY FOR MEMBERSHIP.

The application of Hungary for admission to the league was announced and the permanent advisory commission on armament requested to advise the council as to the regulations to be prescribed concerning her military, naval, and air forces.

DANZIG.

On Saturday, June 18, a private meeting was held, with Danzig the subject of consideration. Dr. Lahur, representative of the Free City, and Mr. Askenazy, representing Poland, were invited to seats at the council table, as also was Sir Richard Haking, high commissioner of the league in Danzig. The council amended the constitution of Danzig so as to provide for election by the popular assembly of a president and seven other principal senators for terms of four years, and discussed a number of questions connected with the administration of the Free City.

TRANSIT.

Representative de Leon presented a report of the proceedings of the transit conference at Barcelona, most of its recommendations being postponed for further consideration or referred to other bodies. The secretary general announced that the conference had created an advisory and technical committee on communications and transit in accordance with an assembly resolution, a committee representing all geographical divisions and interests. The conference recommended that a similar convocation be held within 10 years.

AALAND ISLANDS.

On Monday, June 20, a public meeting was held on the subject of the Aaland Islands. Mr. Branting and Mr. Enckel, representing Sweden and Finland, respectively, took seats at the council table and discussed before the council the report of the commission. No action was taken at this time.

PUBLICITY.

On Monday afternoon at a private meeting of the council, in order to give more publicity to its transactions, it was decided, first, that the minutes of the session should be published as soon after the close of the session as possible; second, that the secretariat should insure the immediate publication of a summary, previously approved by the members of the council, describing debates and giving decisions reached.

SAAR BASIN GOVERNING COMMISSION.

German protests against alleged French courts-martial and expulsion of certain inhabitants, and so forth, in the Saar Basin were heard, M. Rault, chairman of the Saar Basin Governing Commission, having been summoned to the council table. On the conclusion of the hearing the commission received a vote of confidence and congratulations, the charges not having been sustained.

ADMISSION OF PRESS.

At the beginning of the meeting Tuesday morning, June 21, it was proposed that the press be admitted, as the questions on the agenda were not likely to create much discussion. After debate the council resolved that the object of publicity was to

increase the prestige of the league by interesting public opinion—that it would not increase the league's prestige to throw open to the public a meeting at which the agenda was of an administrative order and the questions of little interest, and that the press should be admitted, therefore, to public meetings when important questions were being discussed.

PERSONAL HEALTH ORGANIZATION.

Pending the establishment of the permanent health organization contemplated by the assembly a provisional technical committee was created and its members named.

RESERVE FUNDS FOR SOCIAL INSURANCE.

The council performed the duty assigned it by the treaty of passing upon the report of a commission as to the proper proportion of reserve funds for social or State insurance in Alsace-Lorraine to be transferred from Germany to France.

EPIDEMIC COMMISSION.

A report of the epidemic commission on its work in Poland was approved and decision made to appeal to the nations for continued assistance. The report showed that the help of the league had arrived when the Polish authorities were almost at the end of their resources, and that it would be difficult for Poland to continue the struggle against contagious disease which menaced her and Europe without the league's assistance.

RELIEF WORK IN EUROPE.

A memorandum by the secretary general showed that the joint committee recommended by the council at the February session had been formed by the league of Red Cross societies and the international committee of the Red Cross to coordinate voluntary relief work in all European countries. Accordingly, the council carried out its pledge and decided to appeal to all members asking their assistance and support for the joint committee.

PERMANENT COURT OF INTERNATIONAL JUSTICE.

It was announced by the secretary general that 39 countries had signed the protocol for the permanent court, but that only Sweden, Denmark, Italy, and Switzerland had ratified it also, Switzerland's ratification being subject to referendum till July 19.

National groups for conditional nomination of judges had been formed and the nominations were expected by August 15.

Representatives of Belgium, France, Great Britain, Spain, Japan, and China announced that these countries would soon ratify.

INTERNATIONAL BLOCKADE COMMISSION.

The secretary general reported that the countries asked to appoint representatives to the international blockade commission had done so and that he was in communication with the appointees in an endeavor to secure an early meeting.

Complying with the resolution of the council at the twelfth session he had requested the members to send him for the use of the league information as to the means at their disposal for fulfillment of obligations arising out of article 16 of the covenant, and all other information likely to be of use in effecting the program of the assembly. Nine Governments so far had responded.

The assembly and council had required the commission to report to the council in August in order that the council might report to the assembly in September, but in view of size of the task it was doubtful whether the commission could make more than a preliminary report in August.

REPORTS OF MANDATORY POWERS.

Quoting the assembly recommendation of December 18, 1920, Representative da Cunha proposed that both the powers whose mandates had been defined and those administering territories yet to be placed under mandate be asked to report on their recent administration to the mandates commission.

The representatives of Great Britain, Belgium, and France contended that the league had no right to ask a report from those powers; that they were responsible to their own people and would make reports to their Parliaments, but were not yet responsible to the league, the mandates not yet having been agreed upon. Subject to these reservations, the proposal was adopted.

DANZIG.

The affairs of the free city of Danzig were again considered, with Mr. Askenazy representing Poland; Mr. Sahm, president of the senate of the free city; and Gen. Haking, high commissioner of Danzig for the league, participating. Poland and the free city not yet having reached entire agreement in the matter of the autonomy of Danzig and Poland's right of free access to the sea, both parties under the insistence of the council agreed to end discussions and make final determination by July 31. It was decided that appeals to the council from the decisions of the high commissioner under the Versailles treaty and the Danzig-Poland convention should be made within 40 days from date of decision. A time limit was also fixed for the exercise of the right of veto held by the high commissioner in the name of the league in the matter of treaties and international agreements relating to Danzig.

On Wednesday, June 22, Danzig continued to be the subject of discussion. Measures for the defense of the free city, access of Poland to the sea, manufacture of arms, storage of munitions, and financial provisions were among the topics considered. The high commissioner was instructed to take any necessary measures with the proper local authorities to prevent Danzig from becoming or continuing in any sense a military base or a depot for arms and munitions. Manufacture and sale of war material, arms, ammunition, and so forth, were to be prohibited.

AALAND ISLANDS DECISION.

On Thursday, June 23, the question of the Aaland Islands was again taken up. The representatives of Finland and Sweden both stated specifically that their countries would accept the decision of the council—the Swedish representative saying no matter what the present decision might be, if Sweden should feel in the future that she had any grievance in connection with the islands she would submit it to the league.

On Friday, June 24, a decision of the Aaland Islands controversy was made by the council and embodied in the following resolution:

The council at its meeting of June 24, 1921, having regard to the fact that the two parties interested in the fate of the Aaland Islands

have consented that the council of the League of Nations should be called upon to effect a settlement of the difficulties which have arisen and that they have agreed to abide by its decision;

After consideration of the report of the jurists which settled the question of its competence and of the decision of the council of September 20, 1920, which recognized the aforesaid competence;

And after having reviewed all the geographical, ethnical, political, economic, and military considerations set forth in the memorandum of the Rapporteurs who undertook a thorough inquiry upon the request of the League of Nations;

Decides

1. The sovereignty of the Aaland Islands is recognized to belong to Finland.

2. Nevertheless, the interests of the world, the future of cordial relations between Finland and Sweden, the prosperity and happiness of the islands themselves can not be insured unless (a) certain further guarantees are given for the protection of the islanders, and unless (b) arrangements are concluded for the nonfortification and neutralization of the archipelago.

3. The new guarantees to be inserted in the autonomy law should specially aim at the preservation of the Swedish language in the schools, at the maintenance of the landed property in the hands of the islanders, at the restriction, with reasonable limits, of the exercise of the franchise by new comers and at insuring the appointment of a governor who will possess the confidence of the population.

4. The council has recognized that these guaranties will be more likely to achieve their purpose if they are discussed and agreed to by the representatives of Finland with those of Sweden, if necessary with the assistance of the council of the League of Nations, and, in accordance with the council's desire, the two parties have decided to seek out an agreement. Should their efforts fail, the council would itself fix the guaranties which in its opinion should be inserted by means of an amendment in the autonomy law of May 7, 1920. In any case the council of the League of Nations will see to the enforcement of these guaranties.

5. An international agreement in respect of the nonfortification and neutralization of the archipelago should guarantee to the Swedish people and to all the countries concerned that the Aaland Islands will never become a source of danger from the military point of view. With this object the convention of 1856 should be replaced by a broader agreement, placed under the guaranty of all the parties concerned, including Sweden. The council is of the opinion that this agreement should conform in its main lines with the Swedish draft convention for the neutralization of the islands. The council instructs the secretary-general to ask the Governments concerned to appoint duly accredited representatives to discuss and conclude the proposed treaty.

ALBANIA.

The meeting of Saturday, June 25, was public and took up the appeal of the Albanian Government to the league in the matter of the frontier dispute with Jugoslavia and Greece. Representatives of Albania, Greece, and the Serb-Croat-Slovene Kingdom, namely, Bishop Noli, Mr. Alexandropoulos, and Mr. Jovanovitch, respectively, were invited to seats at the council table.

After statements from these representatives, Representative Fisher, Great Britain, reported on the matter for the council. He said that all three of the parties were members of the league, that Albania had been admitted with the understanding that its frontiers had not been definitely fixed—that it was agreed that she should be admitted without prejudice to the frontier question.

That question, he said, was at present being considered by the conference of ambassadors who intended to decide it; that he was not prepared to say that the council of ambassadors had exclusive jurisdiction in the matter or that the council would not under certain circumstances be competent to take jurisdiction also, but that there was no doubt of the jurisdiction

of the council of ambassadors to fix the frontiers of Albania. He quoted article 89 of the treaty of St. Germain, as follows:

Austria hereby recognizes and accepts the frontiers of Bulgaria, Greece, Hungary, Poland, Rumania, Serb-Croat-Slovene State, and the Czechoslovakian State as those frontiers may be determined by the principal allied and associated powers.

Inasmuch as the frontiers of Greece and the Serb-Croat-Slovene State—Jugoslavia—could not be fixed without at the same time fixing the frontiers of Albania, he did not propose to question the jurisdiction of the conference of ambassadors.

He urged the parties to abstain from all acts of provocation until the question was finally settled.

The council adopted the following resolution:

The council of the League of Nations is informed that the conference of ambassadors has taken up the Albanian question and that it is discussing it at the present moment. In these circumstances the council of the League of Nations considers it inadvisable to take up the question simultaneously.

Pending the solution, which will be communicated to it, the council recommends the three parties, in conformity with the covenant, strictly to abstain from any act calculated to interfere with the procedure in course. The question will be most carefully watched by the council of the League of Nations, which will give to the defense of the people and nation of Albania every possible attention.

The council recommends that in the interests of the general pacification and normal development of Albania the conference of ambassadors should make a decision with the least possible delay.

The representatives of Greece and the Serb-Croat-Slovene State assented to the resolution.

Bishop Noli, representative of Albania, asserted that the conference of ambassadors was without jurisdiction in the matter; that the conference existed only for the purpose of dealing with the affairs of belligerents under the peace treaties. He asked that the question of jurisdiction be referred to a committee of jurists, saying that the decision of the league would be more readily accepted by Albania than that of the conference of ambassadors; that the presence of refugees in Albania and her occupation by foreign troops made the situation dangerous and called for a commission of inquiry.

Mr. Fisher called attention to Article 15 of the covenant, which is as follows:

If a report by the council is unanimously agreed to by the members thereof, other than the representatives of one or more of the parties to the dispute, the members of the league agree that they will not go to war with any party to the dispute which complies with the recommendations of the report.

This debarred the parties from going to war, he contended, adding that it was possible the conference of ambassadors might refer the matter to the council or any question arising out of the present difficulties; that as the conference was examining the question at that moment the council could not intervene, but that this did not prevent an inquiry by the council at a later stage; that for the present the council would forward to the ambassadors the observations of the Albanian representative.

Representative Hanotaux called the attention of the Albanian representative to the fact that the resolution just adopted did not abandon the question.

Bishop Noli, the Albanian representative, replied that the conference of ambassadors had been discussing the question

for three years; that the Albanian people had lost patience; that the Albanian Government bowed before the decision of the council, but did not recognize the jurisdiction of the ambassadors; that the Albanian Government reserved the right to appeal to the assembly.

MANDATES.

Mr. Fisher, British representative, asked whether the mandatory powers might communicate the text of their mandates to the Government of the United States without the consent of the council. The council decided it had no objection.

TEMPORARY COMMISSION ON DISARMAMENT.

It was announced at the meeting of Monday, June 27, that the members of the temporary mixed commission on disarmament had been selected and would hold its first meeting on July 16 at Paris.

PRISONERS OF WAR.

Dr. Nansen reported that up to June 1 approximately 323,850 war prisoners had been repatriated by the Baltic routes; that they would continue for a while longer, with an additional steamship service from Petrograd to Stettin; that about 11,000 had been sent home by way of Vladivostok, the great expense of that route leading to a railway arrangement with the soviet authorities by which some 20,000 prisoners in the Omsk district had been transported to Baltic ports; that many in the Black Sea districts were still without means of transport. A steamer had just begun voyages on the Black Sea, however, and had transported about 14,000 prisoners of many nationalities. There were probably 7,000 more to be returned in this area.

He pointed out that he had found large numbers of people, not prisoners of war, who were living as refugees in foreign countries, who were a menace to peaceful conditions and needed help. To repatriate them or to aid them while they were securing a livelihood would contribute much toward restoring normal conditions. He submitted this condition to the serious thought of the council, and the council agreed to take it under consideration.

PROTECTION OF MINORITIES.

Methods of enforcing treaties for the protection of minorities in certain States were discussed, notably in Poland, Czechoslovakia, Finland, the Baltic and Caucasian States. It was decided that whenever a petition relating to this subject was received by the secretary general he would advise all league members, it then being necessary for some member to bring it to the council's attention. This method was adopted as to Czechoslovakia and Poland, final decision as to the other countries being postponed.

ARMAMENT.

The permanent advisory commission on military, naval, and air questions submitted a report of the proceedings of its fifth session. The commission held in the course of its report that the reasons which led the council in December, 1920, to conclude that the favorable moment had not arrived for submission of the questionnaire regarding armaments to the member nations still held good, namely, that all the great powers had not yet been included in the league, and that stable conditions of peace had not yet been restored throughout the world.

Replying to the council's query of June 17 as to the military status of Hungary, the commission held that this was regulated by the treaty of Trianon of June 4, 1920, and did not require consideration by the commission.

AALAND ISLANDS.

It was announced that the guaranties provided for the people of the Aaland Islands in the council's decision were made the subject of a consultation between representatives of Sweden and Finland under the chairmanship and with the assistance of a member of the council. The text of the agreement reached was as follows:

1. Finland, resolved to assure to and to guarantee to the population of the Aaland Islands the preservation of their language, their culture, and their local Swedish traditions, undertakes to introduce shortly in the law of autonomy of the Aaland Islands of May 7, 1920, the following guaranties:

2. The landsting and the communes of the Aaland Islands shall not in any case be obliged to support or to subsidize any other schools than those in which the language of instruction is Swedish. In the scholastic establishments of the State instruction shall also be given in the Swedish language. The Finnish language may not be taught in the primary schools supported or subsidized by the State or by the commune without the consent of the interested commune.

3. When a landed estate situated in the Aaland Islands is sold to a person who is not legally domiciled in the islands, any person legally domiciled in the islands, or the council of the Province, or the commune in which the estate is situated has the right to buy the estate at a price which, failing agreement, shall be fixed by the court of first instance having regard to current prices.

Detailed regulations will be drawn up in a special law concerning the act of purchase and the priority to be observed between several offers.

This law may not be modified, interpreted, or repealed except under the same conditions as the law of autonomy.

4. Immigrants into the Aaland Archipelago who enjoy the rights of citizenship in Finland shall only acquire the communal and provincial franchise in the islands after five years of legal domicile. Persons who have been five years legally domiciled in the islands shall not be considered immigrants.

5. The governor of the Aaland Islands shall be nominated by the President of the Finnish Republic in agreement with the President of the Landsting of the Aaland Islands. If an agreement can not be reached, the president of the republic shall choose the governor from a list of five candidates nominated by the Landsting possessing the qualifications necessary for the good administration of the islands and the security of the State.

6. The Aaland Islands shall have the right to use for their needs 50 per cent of the revenues of the land tax besides the revenues mentioned in article 21 of the law of autonomy.

7. The council of the League of Nations shall watch over the application of these guaranties. Finland shall forward to the council with its observations any petitions or claims of the Landsting of the Aaland Islands in connection with the application of the guaranties in question, and the council shall in any case where the question is of a judicial character consult the permanent court of international justice.

The council unanimously approved this agreement.

RUSSIAN REFUGEES.

A report on Russian refugees suggested that a high commissioner and staff be appointed to coordinate the action taken in the various countries whether by Governments or private organizations. It appeared from the report that besides large numbers of women and children refugees there were some 200,000 men scattered throughout several countries and concentrated more especially in certain parts of the Near East where work for them could not be found; that these fugitives, unemployed through no fault of their own, constituted a heavy charge on several Governments, and it was recommended that

the Governments concerned be approached with a view to determining what they would contribute toward the work of aiding the refugees.

INTERNATIONAL BUREAUX—BUREAU OF INTERNATIONAL RELIEF.

Representative Hanotaux submitted a report on the general principles to be observed in carrying out article 24 of the covenant, which provides that all international bureaux, which have been or shall be subsequently constituted by general treaties, shall be placed under the direction of the league, subject, however, to the consent of the parties in case of bureaux created before the covenant came into existence. He recommended that international bureaux not created by general treaties be placed under direction of the league on their application and after satisfactory examination and compliance with conditions required by the league. He recommended that one of the latter class be admitted at this session—the bureau of international relief, whose principal objects were, first, propaganda for international agreements for reciprocity in charitable relief to indigent foreigners; second, cooperation with the Government in insuring execution of such treaties.

DISPUTE BETWEEN LITHUANIA AND POLAND.

At the meeting in the afternoon of Monday, June 27, which was public, Representative Hymans presented a report of the negotiations at Brussels between Lithuania and Poland under his presidency. He offered a basis for the solution of the dispute and was asked to embody it in a draft resolution.

WORK OF PROVISIONAL ECONOMIC AND FINANCIAL COMMITTEE.

A report was presented at the morning meeting, June 28, which was private, dealing with the work of the provisional economic and financial committee. It had separated into two sections—the economic section and the financial section. It was shown that the economic section was conducting by questionnaire an inquiry into the world's economic situation and that the full committee would recommence in the near future the publication of the statistical bulletin of the supreme economic council. It was shown further that the financial section was making progress in the matter of rehabilitating the credit of Austria and of applying the international credits scheme to her situation.

MEETING PLACE OF COMMITTEES.

It was decided that in principle the committees of the council should meet at Geneva, the seat of the league, but that for special reasons committee meetings might be held elsewhere.

DISPUTE BETWEEN AUSTRIA AND SERB-CROAT-SLOVENE STATE (JUGO-SLAVIA).

The complaint filed with the council by Austria that Jugo-Slavia was threatening to liquidate the property of Austrian nationals if their debts to Jugo-Slav creditors were not paid in Jugo-Slav crowns was referred to the parties themselves in direct negotiation with the understanding that if this failed the league would endeavor to settle the dispute. Pending settlement the council recommended to the Jugo-Slav Government that it refrain from injury to individual interests.

TRAFFIC IN OPIUM.

The report of the advisory committee on the opium traffic formed by the council in compliance with an assembly resolu-

tion was presented to the council, approved by it, and the following resolutions were adopted:

1. That States members of the league which have not signed or ratified the international opium convention be invited to do so as soon as possible.

2. That the Netherlands Government be requested to continue its efforts to secure ratification of the international opium convention by those States which are not members of the league.

3. That the provisional health committee of the league, or any other similar organization, be asked to undertake an inquiry to determine approximately the average requirements of the drugs specified in chapter 3 of the international opium convention (medicinal opium, morphine, cocaine, heroin, etc.) for medical and other legitimate purposes in different countries.

4. That in order to carry out the obligations under articles 3 and 5 and under article 13 of the international opium convention the Governments which are parties to the convention be invited to adopt the following procedure:

Every application for export to an importer of a supply of any of the substances to which the convention applies shall be accompanied by a certificate from the Government of the importing country that the import of the consignment in question is approved by that Government and is required for legitimate purposes.

In the case of drugs to which chapter 3 of the convention applies the certificate shall state specifically that they are required solely for medicinal or scientific purposes.

5. That the special attention of the contracting powers having treaties with China be invited to article 15 of the international opium convention so that the most effective steps possible should be taken to prevent the contraband trade in opium and other dangerous drugs.

6. That consideration of the fifth recommendation of the advisory committee, proposing certain measures as to opium in China, be deferred. (This was proposed because it was reported that the Chinese Government was taking active steps to repress production, which had begun again in some provinces.)

7. That in view of the world-wide interest in the attitude of the league toward the opium question, and of the general desire to reduce and restrict the cultivation and production of opium to strictly medicinal and scientific purposes the advisory committee on the traffic in opium be requested to consider and report at its next meeting, approximately the average requirements of raw and prepared opium specified in chapters 1 and 2 of the convention for medicinal and scientific purposes in the different countries. (This was proposed in order to repress production as well as consumption.)

It was reported that the statement desired by the assembly as to the steps taken by the various Governments to carry out the terms of the international opium convention could not be gotten ready until the meeting of the assembly in 1922.

ARMS TRAFFIC.

The proper method of organizing an international office to aid the governments in keeping the arms traffic under control and surveillance in accordance with the convention of St. Germain was submitted to the temporary mixed commission on armaments.

PROTECTION AND WELFARE OF CHILDREN.

The recommendation from the international union for the protection of children, the international committee of the Red Cross and the League of Red Cross Societies that a special department be established in the league secretariat for the protection of children was considered and ordered postponed until after the meeting of the international congress for the protection of children, which the Belgian Government had summoned for July. Mention was made of the work already being done by the league for children, the international labor office having within its duties the protection of children against in-

dustrial exploitation, and the council having decided to take up the question of the Russian refugees, including their children.

COUNCIL'S REPORT TO ASSEMBLY.

Pursuant to the assembly resolution of December 7, 1920, requiring the council to present a report on its work each year to the assembly the council instructed the secretary general to prepare such a report for the coming assembly.

NEXT SESSION OF COUNCIL.

It was decided that the council should begin its next session on September 1, 1921.

POLAND AND LITHUANIA.

On Tuesday, June 28, in public meeting the council adopted the draft scheme prepared at its instance by Representative Hymans as a basis for the settlement of the controversy between Poland and Lithuania, the understanding being that the final agreement reached after further negotiations would be submitted to the diets of Poland and Lithuania and to the diet of Vilna, the latter to be constituted thereafter, and the consent of these bodies being essential to the coming into force of the agreement. For the maintenance of order in Vilna pending further negotiations it was provided that the military commission should organize a local police, not exceeding 5,000 men, of whom 600 should be mounted. Poland accepted and the Lithuanian delegation agreed to submit the matter to its Government.

FOURTEENTH SESSION OF COUNCIL, HELD AT GENEVA, BEGINNING SEPTEMBER 1, 1921.

UPPER SILESIA.

On the 1st day of September, 1921, the opening day of the fourteenth session of the council, a resolution was unanimously adopted to the effect that the question of Upper Silesia, which had been submitted to the league council by the supreme council of the allied powers, be referred for preliminary examination to a committee composed of the representatives of Belgium, Brazil, China, and Spain, who had taken no part in previous examinations or deliberations connected therewith, this committee to use not only the documents transmitted on this subject by the supreme council but any other source of information; that the committee have the right to seek such advice as they think serviceable, and call upon the necessary technical advisers, preferably those who had not taken part in previous studies and discussions of the matter and who had already cooperated with the technical organizations of the league; that they might hear the German and Polish inhabitants of Upper Silesia for the purpose of obtaining useful local information; that they make a report to the council, which might assemble at any time to receive it.

SUGGESTIONS OF PROVISIONAL HEALTH COMMISSION.

On September 2 the council decided to submit to the assembly a proposal by the provisional health commission for the creation of a special health section in the international public health office which should remain outside the ordinary organization of the league.

It approved the suggestion of the provisional health commission that the epidemics commission be merged in the general health organization and that a special inquiry be made into the present Russian cholera epidemic.

INTERNATIONAL INTELLECTUAL COOPERATION.

It created a commission to study the questions of education and international intellectual cooperation, to report to the assembly on measures which might be taken by the league to encourage intellectual interchange between the nations, and to work out a scheme for an international education office.

MANDATES.

On the subject of mandates it was announced that no reply having been received to the league's invitation to the United States to send a representative to the council to discuss mandates (the United States having informed the league that it could accept no decision on mandates without its approval), Señor da Cunha, as president of the league council, had asked the allied Governments to try themselves to reach a solution of the disputed points with the United States in order that the council should be able to settle the mandates matter before the next assembly, and that the A and B mandates had therefore been placed on the agenda of the coming assembly.

The representatives of the principal allied powers on the council then stated that their governments had received a note from the United States on the question of mandates. The council decided that this note showed fresh progress in the negotiations and considered that it was not necessary to intervene, but decided to request the principal allied powers to hasten their negotiations with the United States.

The council continued to meet from time to time while the assembly was in session, and its transactions will be noted in connection with those of the assembly, whose second session began September 5, 1921.

SECOND ASSEMBLY OF THE LEAGUE OF NATIONS.

The first meeting of the second assembly of the league began at Geneva Monday, September 5, 1921, under the provisional chairmanship of Mr. Wellington Koo, China, acting president of the council.

OPENING ADDRESS; ELECTION OF PRESIDENT.

The provisional chairman, in his opening address, welcomed specially the new members of the league. The first assembly had consisted of 41 delegations, he said; the second consisted of 48.

He referred to the achievements of the league in promoting international cooperation, in handling technical and economic problems, and in matters of humanitarian and social concern; to the transit conference at Barcelona, the conference on the traffic in women and children, the advisory committee on opium traffic, the health committee, the economic and financial committee. He said the league had made definite progress in the greatest task assigned it by the covenant—that of maintaining peace and settling international disputes—that since the last assembly four international disputes had been dealt with by the league in accordance with the rules of the covenant.

The second assembly, he continued, would be asked to elect the judges of the permanent court of international justice, and that this was a striking example of the league's progress. It would also be asked to deal with proposed amendments to the covenant, thus demonstrating the adaptability of the league to the changing conditions of the world. It would take up

the question of disarmament, a question in which rapid action could not be taken, but in which foundations had already been laid by the league for permanent accomplishments.

His experience as a member of the council had taught him, he added, that the league was not assuming in any way the position of a superstate; that it was a union for the prevention of war and for the promotion of the general welfare of mankind.

Delegate Van Karnebeek, of Netherlands, was then elected president of the second assembly.

TUESDAY, SEPTEMBER 6, 1921.—APPOINTMENT OF COMMITTEES; ELECTION OF VICE PRESIDENTS.

The assembly decided to create six standing committees, the chairmen of these and the six vice presidents to be elected to constitute its general committee. Each delegation was to be represented in each committee and each committee was to elect its chairman, who would become an ex officio vice president of the assembly. The committees were created, members appointed, chairmen elected, and six other vice presidents chosen.

REGISTRATION OF GERMAN TREATIES.

The official journal showed that Germany had submitted 20 more treaties for registration and publication by the league, making 35 altogether. These last submitted included treaties with China for resumption of amicable and commercial relations, with France concerning entry without duty into Germany of goods originating in Alsace and Lorraine, and the administration of justice in those provinces, the Rhine bridges between Alsace and Baden and the restitution of certain sums advanced during the war by Alsace and Lorraine.

WEDNESDAY, SEPTEMBER 7, 1921.—DISPUTE BETWEEN BOLIVIA AND CHILE.

The assembly took up the question of examining and adopting the agenda or program for the present session, and the delegate from Chile, Mr. Edwards, expressed the opposition of his country to examination by the league of the request of Bolivia for a revision of the treaty of 1904 (item 21 of the agenda). He claimed that the league was without jurisdiction to revise treaties, especially treaties of peace; that compliance with Bolivia's request would create a dangerous precedent, striking at the foundations of international law and having serious results throughout the world; that the treaty of peace of 1904 had been in existence for 17 years; that the principle of observance of treaties should be safeguarded; that this was in accordance with the rights of nations, the covenant of the league, even with the opinion of the Bolivian Government, and that it was essential that the assembly should take the same view.

He contended that by the terms of article 19 of the covenant cited by Bolivia the assembly could only advise the consideration by members of the league of treaties which had become inapplicable; that this meant that the league could not of itself revise a treaty; that furthermore article 5 prescribed that the decisions of the assembly must be unanimous and Chile would not consent.

Contentions like those of Bolivia, namely, that the treaty had been imposed on her by force, that certain of its clauses had never been executed, that these conditions raised a threat of war and that Bolivia was deprived of access to the sea might

be brought forward, he said, to support a claim for revision of any treaty of peace. He asked what would become of the respect due treaties. He asserted that the treaty of 1904 had been signed in a friendly manner, without duress, the conquerer entering into negotiations with the conquered; that Chile's obligations had been fulfilled or were being fulfilled; that the nonfulfillment of certain clauses would give Bolivia only the right to demand the fulfillment of all the treaty obligations; that Bolivia had free access to the sea; that she had been importing war material through Chilean ports at the very moment she was claiming Chilean territory.

Mr. Aramayo, of Bolivia, replying, contended that article 19 did not limit the jurisdiction of the assembly. He said that Bolivia desired a general examination of the whole situation, that being the object of her request for revision; that the viewpoints of Chile and Bolivia were irreconcilable; that Bolivian public opinion held that the treaty of 1904 was not only inapplicable but had never been applied; that Bolivia turned toward the league not to ask for an impossible reparation but for a measure of justice which would facilitate peace; that if the league should hold itself without jurisdiction it would deny the principle on which it was founded; that the Bolivian delegation asked that a committee should examine the question and advise the assembly, this proposal being in conformity with the rules of procedure.

Mr. Canelas, of Bolivia, argued in behalf of the league's jurisdiction and reviewed the controversy.

Mr. Edwards replied that the Chilean delegation was prepared to accept any procedure which would allow the assembly to form an opinion, provided the question of jurisdiction was not prejudged and provided the question did not figure on the agenda on the same footing as the others.

The president proposed postponement to a future meeting and that meanwhile the question should figure on the agenda as an item that had been reserved.

Bolivia accepted this proposal and Chile accepted also with the condition that the assembly should make a decision before the close of the present session.

THURSDAY, SEPTEMBER 8—REPORT OF COUNCIL.

The report of the council was presented and considered.

DECISION OF AMENDMENTS COMMITTEE AS TO ARTICLE 10.

The committee on amendments decided not to propose any amendment to article 10 of the covenant, but to submit an interpretive resolution declaring the object of article 10 not to be the perpetuation of existing territorial and political divisions, because under the covenant they could be modified by various legitimate means, modifications by aggression being the only method excluded.

REPORT OF COUNCIL.

Friday, September 9, was devoted to further consideration of the council's report.

PERMANENT COURT OF INTERNATIONAL JUSTICE.

The Official Journal showed that when the time limit for the nomination of judges of the Permanent Court of International Justice expired on Monday, September 5, about 100 candidates had been put forward by 35 different States for the 11 judge-

ships and 4 deputy judgeships, and that the American group of The Hague court had failed to make a nomination. It showed also that a sufficient number of States had ratified the statute for the court in due time.

DENIAL OF WITHDRAWAL REPORTS.

Delegates from Colombia, Chile, and Bolivia denied to newspaper interviewers the report that these countries would withdraw from the league because of the rejection of the Argentine amendment to the covenant providing that all sovereign States should be considered members unless they indicated a desire to the contrary. Mr. Restrepo, head of the Colombian delegation, said that if President Harding should see fit to create a new society of nations Colombia would be among the first to apply for membership, but that this did not necessarily mean withdrawal from the present league.

REPORT OF COUNCIL.

At the meeting on Saturday, September 10, discussion of the council's report continued. Delegate Balfour stated that effective measures for disarmament could not be obtained so long as some of the leading nations remained outside of the league, especially those where armament was produced on a large scale. He enumerated the achievements of the league, however, and said in effect it had accomplished great good and was indispensable to the peace and progress of the world.

AUSTRIA'S APPEAL FOR FINANCIAL RELIEF.

For the first time a representative of the Central Powers addressed the league. Count Mensdorff, head of the Austrian delegation, appealed for the financial aid promised his country, which was being blocked, he said, by the failure of the United States to answer the request of the allied Governments to postpone for 20 years its claim against Austria for $20,000,000 advanced for food relief. He said that Austria had complied with all the conditions required by the league's plan for relief, but the promised help had not come; that without aid from the outside the Austrian situation was hopeless and his country in danger of falling to pieces.

ALBANIAN QUESTION.

An attack on Albania by a delegate from Jugoslavia brought forth a rebuke from the presiding officer and an explanation that the league had not permanently surrendered jurisdiction over the Albanian case.

REPORT OF COUNCIL.

On Monday, September 12, consideration of the council's report was resumed. In an extended address Delegate Bourgeois said that the league would go on with its work, confident that the United States would come to see that the league's ideals were its own. He wished the disarmament conference to be held at Washington every success, saying that every confidence should be placed in the Nation that sent so many of her sons across the sea to fight for liberty and justice.

Mr. Sastri, of India, deprecated criticism from countries who would not join the league and thus help it to correct or avoid mistakes.

The Official Journal showed that the United States had not only failed to nominate candidates for judgeships of the Permanent Court of International Justice, but had also failed even to reply to the invitation to ratify the court project. (A belated

acknowledgment of the receipt of the invitation in the same envelope with 13 other belated acknowledgments of league communications reached the secretariat from the United States about two weeks later. The explanation was that the delay had been caused by the oversight of a clerk.)

REPORT OF COUNCIL.

On Tuesday, September 13, the council's report was still before the assembly. The addresses dealt largely with the importance of the Permanent Court of International Justice, the judges of which were to be elected the next day. The creation of the court was hailed as the greatest achievement of the league so far.

Capt. S. M. Bruce, a delegate from Australia, said that his country, although 12,000 miles away, was interested in European happenings; that she had sent 400,000 men to fight in the World War, and this had taught her that she was profoundly interested. He said the first object of the league was to make war more difficult and the next to improve social conditions; that he thought proportionately too much attention had been devoted to the latter. Delegate Doherty, of Canada, spoke in the same strain.

ELECTION OF JUDGES FOR PERMANENT COURT OF INTERNATIONAL JUSTICE.

On Wednesday, September 14, the council and assembly elected the 11 judges of the permanent court of international justice and three of the four deputy judges. The judges elected were Viscount Robert Bannatyne Finlay, of Great Britain; Charles Andre Weiss, of France; Dionisio Anzilotti, of Italy; John Bassett Moore, of the United States; Rafael Altamira, of Spain; Senator Ruy Barbosa, of Brazil; Antonio de Bustamente, of Cuba; Max Huber, of Switzerland; B. C. J. Loder, of Holland; Didrik Galtrup Nyholm, of Denmark; Yoruzo Oda, of Japan. The three deputy judges elected were Negulesco, of Rumania; Alvarez, of Chile; Wang, of China. A deadlock ensued between the assembly and council in the election of the fourth deputy judge, and the matter was postponed until the succeeding day, it being announced that a mixed commission would be named to try to find a compromise candidate.

All these judges are men of high reputation as international jurists or experts.

The court is open to all the nations of the world and has jurisdiction over all questions of justiciable nature outlined in the covenant and hereinbefore described.

DISARMAMENT.

On Thursday, September 15, Delegate Lange, of Norway, took issue with the statement of Delegate Balfour of a few days before that the time had not yet come for disarmament, claiming that the league should not pause in its disarmament program because the United States had called a disarmament conference, but should proceed with more energy to carry out the principles of the covenant in this regard. He said he agreed with Woodrow Wilson that the League of Nations was the hope of humanity, and his reference to Wilson was applauded. More prolonged applause greeted the mention of Wilson by Bishop Noli, head of the Albanian delegation, who, in favoring greater publicity for the league's proceedings, said in part:

Speaking of pitiless publicity reminds us of that great citizen of the world who first used this expression and this weapon for promoting his

ideals. I mean President Wilson, the spiritual father of the League of Nations. Sternly he fought and fell. But others have taken up the standard he raised and will march on fearlessly. We all hope America will come finally to join the colors raised by one of her noblest sons, because her people love peace and international justice. But in any case we shall go on fighting the good battle, knowing we represent the hope of humanity, which has one prayer on its lips and one longing in its heart: "Our Father who art in Heaven, Thy Kingdom, brotherhood, and peace come on martyred earth."

ELECTION OF FOURTH DEPUTY JUDGE.

The committee appointed to submit a compromise candidate for the fourth deputy judgeship selected Judge F. V. N. Belchmann, of Norway, for action by the council and assembly. He was chosen.

BOLIVIA-CHILE DISPUTE.

Bolivia withdrew her demand for the placing of her dispute with Chile on the agenda of the present session, and the president appointed a committee of experts to decide the question of the assembly's competency.

ADJOURNMENT FOR COMMITTEE WORK.

On Friday, September 16, the assembly concluded general debate and adjourned till the following Monday to allow the committees to proceed with their work.

PERMANENT COURT OF INTERNATIONAL JUSTICE.

Before adjournment the president congratulated the assembly on the final establishment of the permanent court of international justice, announcing that acceptances had been received from 6 of the 11 judges elected. John Bassett Moore, of the United States, was among the six, wiring as follows:

Telegram received. I accept, with due sense of the honor and responsibility.

The American group of The Hague arbitration court, composed of John Bassett Moore, Elihu Root, Justice George Gray, and Oscar S. Straus, wired an explanation of their failure to nominate any candidate for the permanent court, which was as follows:

Considering that our appointment by the President as members of the tribunal of arbitration was under The Hague convention of 1907 to perform functions contemplated in the convention and that your invitation for judges under the new permanent court of international justice is under another treaty, to which the United States is not a party, and in respect of which no authority has been conferred upon us, we reluctantly have reached the conclusion that we are not entitled to make official nominations for the new court. We regret exceedingly that announcement of this conclusion has been unavoidably delayed.

It should be noted here that all the other national groups of The Hague court offered no such objections, but, on the contrary, made nominations for the permanent court, some of them proposing candidates who lived in the United States, one of whom was elected a judge of the court.

REPORT OF AMENDMENTS COMMITTEE ON ARTICLE 10.

On Saturday, September 18, the committee on amendments to the covenant decided to recommend no change in article 10 of the covenant, saying in its report:

The committee has decided unanimously in favor of maintenance of the principles set out in article 10. Exclusion of acts of aggression as a means of modifying the territorial integrity and political independence of States is the very essence of the League of Nations.

The committee decided to submit the following resolution on article 10:

Article 10 was not intended to perpetuate territorial and political organization as established and as existing at the time of the recent treaties of peace. Changes may be effected in that organization by various means. The covenant admits the possibility.

The intention of article 10 is to enunciate the principle that hereafter the civilized world can not tolerate acts of aggression as a means of modifying the territorial status quo and political independence of States.

To this end the members of the league have pledged themselves, first, to respect the territorial integrity and existing political independence of all States members of the league and, secondly, to maintain this integrity and independence against any external aggression, whether on the part of a State member or State nonmember of the league.

With the view of assuring fulfillment of this second obligation, the council shall advise upon means; it must do so not merely in the case of actual aggression but also in the case of danger or threat of aggression. The council will perform this function by addressing to members such recommendations as are deemed proper in regard thereto, taking into account articles 11, 12, 13, 15, 17, and 19 of the covenant.

The committee decided to recommend changes in articles 12 and 13 so as to bind members to observe the awards of the world court, just as they are bound to observe decisions of the council and assembly.

It also decided to recommend that proposed amendments should thereafter emanate from the assembly.

DISARMAMENT.

On Monday, September 19, the council's commission on disarmament issued its report holding that for the present the coming Washington conference could best deal with the question of disarmament and that disarmament could be more effectively secured by common agreement among the great powers. The commission held, further, that mankind was still too far removed from the ideals of peace to make possible at present the solution of disarmament. The replies received thus far to the assembly's suggestion to limit armament expenditures for the next two years to the amount expended this fiscal year were analyzed by the commission. Only Bolivia, Guatemala, and China accepted without condition. Belgium, Australia, and Canada accepted with the condition accompanying the suggestion that troops supplied in fulfilling the covenant should not be counted in the total. Great Britain, New Zealand, India, and Italy agreed on the condition that all the other powers also accept. Holland agreed provided rising prices be considered. Denmark, Norway, Rumania, and Chile signified no definite course, but stated that in all probability there would be no increase in their budgets. Spain and France declined to accept on the ground that budgets were not a fair criterion, many of them combining general expenses with those for armament. France pointed out that she was beginning to reduce the numbers of men required for compulsory service. Finland and Poland could not agree on account of special geographical and political situations. Greece could not comply on account of a war with nationalist Turkey. Jugoslavia said that international affairs were too unfavorable for compliance. Japan desired to await the outcome of the Washington conference. Austria and Bulgaria replied that their military expenditures were fixed by the peace treaties. Other replies were more or less vague. Of the 27 replies so far received the com-

mission classed 17 as favorable, 7 as unfavorable, and 3 as vague. It considered the absence of United States, Germany, and Russia from the league as one of the greatest obstacles to efforts for disarmament under the covenant.

WHITE-SLAVE TRAFFIC.

The assembly discussed in the course of the day a proposed international convention for the regulation of the white-slave traffic, which had been prepared by the special committee authorized by the first assembly. It was suggested that the delegates wire their respective Governments for authority to sign the convention. This was met by the contention that such a procedure was beyond the power of the league and the intent of the covenant. On motion of the French delegation the question of the constitutionality of the procedure was referred to a committee. The committee reported in favor of the procedure. The convention contained provisions for extradition of offenders, compulsory inquiry by agents into conditions surrounding employment which they were procuring abroad, and stricter control of emigration and immigration.

POLAND-LITHUANIA DISPUTE.

The Lithuanian delegation demanded in open session that the council endeavor to secure the evacuation of Vilna by the irregular forces of Gen. Zeligowski, and advocated changes in the Hymans plan of an autonomous status for Vilna in Federal Lithuania. Mr. Askenazy, Polish delegate, said that these changes could never be accepted.

ALBANIAN QUESTION.

During the meeting of Tuesday, September 20, Bishop Noli, delegate from Albania, read a telegram from his Government stating that the Serbians had begun hostilities against Albania with an artillery bombardment of several frontier towns. Bishop Noli stated that on September 17 the Serbians had demanded the retirement of Albania from several frontier towns within 24 hours, and had begun the bombardment on the next day on the refusal of the Albanians to withdraw. He asked what the league intended to do. A Serbian delegate replied that it was absurd to speak of Albania's frontiers, because they had not been fixed. Lord Robert Cecil stated that this was not a satisfactory answer and that the league must take action. Announcement was then made that the council on the following day would take up the Serb-Albanian conflict. It was also understood that the conference of ambassadors was considering Albania's northern boundary which had been in dispute since the close of the war.

SESSION OF COUNCIL ON POLAND-LITHUANIAN CONTROVERSY.

The council met also on September 20 and took up the Polish-Lithuanian dispute. After hearing the refusal of these countries to accept the settlement proposed by Representative Hymans, the council rebuked them both and accepted unanimously the Hymans plan, which made the Vilna district an autonomous canton in Lithuania, and decided to place this action before the assembly, asking its approval.

MANDATES.

The committee on mandates decided to recommend to the assembly that it ask the council to insist that the powers push

the negotiations with the United States and reach an agreement on mandates at the earliest possible moment.

PROGRESS IN UPPER SILESIAN QUESTION.

On Wednesday, September 21, the committee on the Upper Silesian question and the British and French representatives sitting with them made distinct progress toward a settlement.

It is worthy of note that the supreme council of the allied powers agreed, in submitting this question to the league council, to be bound by its decision. The supreme council is authorized by the peace treaty to fix the boundaries of Upper Silesia.

ARMENIA.

The assembly debated the report of one of its committees on the resolution asking the powers to provide in the final peace arrangements between Greece and Turkey a national existence for Armenia. Lord Cecil said that nothing could be done at present, with the Kemalists "in rebellion against the whole world," but that the league must be ready when the time came to see that Armenia be given an independent status.

ADMISSION OF LATVIA, ESTHONIA, AND LITHUANIA.

On Thursday, September 22, the assembly voted to admit Latvia, Esthonia, and Lithuania to the league, bringing the membership to 51 nations.

TRANSIT.

The assembly voted to establish a permanent committee of experts to cooperate with the efforts of the various Governments for better transit conditions. It was explained that the ultimate object was to have transit conditions so perfected that a shipment intrusted to a transportation agency in one country could be taken without unnecessary difficulties and delays to any part of the world.

BOLIVIA-CHILE CONTROVERSY.

The committee of jurists appointed to report on the league's jurisdiction over Bolivia's appeal for a revision of the treaty with Chile of 1904 relating to the Tacna-Arica territory reported that it considered the league without jurisdiction.

COUNCIL COMMITTEE ON ALBANIA-JUGO-SLAVIA MATTER.

The council committee to whom the Albania-Jugo-Slavia controversy was referred decided to take it up the following Monday.

MANDATES.

During the discussions in the assembly on Friday, September 23, several delegates expressed regret that the league could not proceed to fix the terms of mandates, because the United States would not negotiate with it; that the league should be delayed for another period in the hope that the United States and the allied powers would complete their mandate negotiations.

Dr. Nansen, discussing the report of the mandates committee to the effect that nothing could be done at present on account of the claims of the United States and especially the manner in which they were presented, said that the mandate matter was one of the most important before the assembly, because therein was embraced the spirit of the league; that the time would come when conquering powers would not annex acquired territories but administer them for the good of the inhabitants; that the league was being attacked because three years after

the war the mandate system was not in effect, but that this was not the league's fault; that the minority of the mandates committee, including himself, wanted to go ahead anyhow, but the majority had decided otherwise.

Lord Robert Cecil said that since the States who were now members of the council had received a note from the United States stating Washington's desires, he thought the league should proceed, but that the allied powers had preferred not to take a step which might wound the sensibilities of the Americans.

Mr. Bourgeois, speaking for the council, said that as much as prompt action was desired, it was useless to ask the council to act until negotiations with the United States had been concluded; that an agreement would come in time, as there were no serious differences on principles; that the assembly need only wait the speedy completion of the negotiations with the United States to see the terms and titles of these mandates confirmed and agreed to by all concerned, including the United States.

DISARMAMENT.

The committee on disarmament debated the proposal of Delegate Jouliaux, head of the French Federation of Labor, that the league call an international conference to limit the private manufacture of arms. The members of the committee favored the idea, but objection was made to fixing the time for next June because of the probable effect on the Washington disarmament conference. Lord Robert Cecil said every effort should be made to secure the cooperation of the United States, because nothing could be accomplished without participation by the world's greatest manufacturer of arms.

Delegate Lange, of Norway, said the greatest obstacle in the way of removing this great cause of war was the failure of the United States to ratify the convention of St. Germain, which, he said, she signed in 1919 and then appeared to forget; that the people of the United States would on consideration find that the traffic in arms was as odious as the traffic in liquor; that the time should be fixed for June, so that it might be brought home to the United States that she was standing in the way of the world's progress toward peace.

Mr. Fisher, of Great Britain, stated that Mr. Lange's speech had much merit, and that he proposed to introduce on the floor of the assembly a resolution recommending that the question of the ratification of the treaty of St. Germain by the United States be brought to the attention of the Washington conference.

Mr. Reynauld, of France, opposed fixing a date, because it might lead the United States to think that the league intended to proceed in this matter without her cooperation.

COUNCIL'S REPORT ON POLAND-LITHUANIA CONTROVERSY.

On Saturday, September 24, the report of the council on the Poland-Lithuania dispute came before the assembly with a request from the council for moral approval and support. In the course of the debate, in which Lithuania and Poland took part, Mr. Bourgeois said that the council's report was not an ultimatum, and that if both sides showed a proper spirit it would be possible to secure amendments; that the report required a settlement and the assembly was asked to concur. The assembly

indorsed the report, praising the work of the council and Mr. Hymans.

POSTPONEMENT OF HUNGARY'S APPLICATION FOR MEMBERSHIP.

Hungary requested the assembly to suspend action on her application for a year, stating that this was due to the action of the conference of ambassadors in reference to Burgenland, or West Hungary, the conference having ordered Hungary to withdraw on pain of forcible expulsion.

BLOCKADE.

On Monday, September 26, the report of the committee on blockade was submitted and discussed.

ALBANIA.

The committee on the Albanian question decided to change a resolution appointing a commission to investigate the situation in Albania so as to provide for action by the allied and associated powers.

Another resolution was indorsed recommending that Albania accept the decision of the conference of ambassadors which was at that time engaged in fixing the border. It was decided that further action be withheld pending the decision of this conference.

A resolution was framed providing for a commission in the event of new fights to fix the responsibility.

DISARMAMENT.

On Tuesday, September 27, the committee of the assembly considering disarmament adopted the following resolution, "That the temporary mixed commission be asked to make general proposals for the reduction of armaments, which in order to secure precision should be in the form of a draft treaty or other equally definite plan to be presented to the council if possible before the assembly of next year."

BLOCKADE.

The assembly reserved decision as to whether the council of the league should fix the date to apply the economic blockade against covenant-breaking States or merely recommend a date.

It adopted an interpretive resolution recommended by the blockade committee in substance as follows:

The unilateral action of a defaulting State can not create a state of war. It merely entitles other members of the league to resort to acts of war or to declare themselves in a state of war with the covenant-breaking State. It is the duty of each member of the league to decide for itself whether a breach of the covenant has been committed. Fulfillment of their duties under article 16 is required from the members of the league by the express terms of the covenant. They can not neglect them without a breach of their treaty obligations. All cases of breach of the covenant should be referred to the council of the league, as a matter of urgency, at the request of any member of the league. Should a breach of the covenant be committed or should there arise the danger of such a break being committed the secretary general should immediately give notice to all members of the council, which should summon representatives of the parties to the conflict and representatives of all the States neighbors of the defaulting State. The council of the league is of the opinion that in case of a breach of the covenant all the members of the league should be informed and that all States must be treated alike in the application of economic pressure. (One of the reservations to this interpretation exempting certain States from participation was referred to the covenant amendment committee.) The council holds that in case of prolonged application of economic pressure measures of increasing stringency should be taken; that the cutting off of the food supplies of the civil population of a defaulting State should be regarded as an extremely drastic measure,

only applicable if other available measures are clearly inadequate; that efforts should be made to arrive at arrangements insuring cooperation by States not members of the league in the measures to be taken.

RESOLUTIONS ON WASHINGTON DISARMAMENT CONFERENCE.

On Wednesday, September 28, a resolution was favorably reported by the committee of the assembly on disarmament expressing the gratification of the league that President Harding had called the Washington conference on disarmament.

This resolution was adopted as well as another asking the permanent advisory commission on armament of the council to prepare plans for the control and prevention of the use of poison gas in war, and requesting scientists to announce at once all poison gas discoveries.

It was voted to establish a special branch of the secretariat to carry on propaganda in favor of disarmament.

WITHDRAWAL OF BOLIVIA'S DEMAND FOR INVESTIGATION OF TREATY WITH CHILE.

Bolivia withdrew her demand for the investigation of her treaty with Chile, the committee of jurists to whom the question was referred having reported that the league was without power to revise treaties, that power belonging solely to the nations making them.

FINANCIAL COMMITTEE.

The financial committee reported on general financial conditions, stating that the plan to rehabilitate the finances of Austria was still waiting the decision of the United States as to whether it would postpone its claim against Austria for food supplies and expressing the hope that this consent would be soon forthcoming. It was pointed out during the debate that the economic situation was at present the most alarming and critical problem of the world, and that it was to the commercial interest of the United States that she cooperate in restoring stability to Austria, central Europe, and the world.

INTERNATIONAL CONFERENCE ON FINANCE AND EXCHANGE.

The council was authorized to call an international conference on the economic situation, especially as related to the exchange problem.

At the meeting on Thursday, September 29, the assembly adopted a convention on the white-slave traffic embodying the conclusions of a recent international conference on the traffic in women and children providing greater restrictions in passports, etc.

The right of the league to draft international conventions was questioned during the debate, but the assembly decided that such action was within its province, inasmuch as the conventions were only for submission to the various States and not binding in any way.

RUSSIAN RELIEF.

On Friday, September 30, the assembly debated Dr. Nansen's plan for relief of starvation and distress in Russia, involving a donation by countries in the league of $25,000,000. While expressing sympathy for the unfortunate victims of famine, the assembly concluded that it would be useless to ask for so large a sum, on account of severe financial conditions throughout the world, and did not adopt the plan.

The report of the committee on the opium traffic was then debated. It recited the difficulties still attending all efforts to

control the traffic, recommended continuation of investigations now in progress, and that they be extended to an inquiry relative to all drugs with a view to a draft convention for suppression of abuses. The report was adopted and the advisory committee on the opium traffic directed to consider advisability of an international conference.

DISARMAMENT.

The principal debate in the assembly Saturday, October 1, was on the report of the committee on disarmament. The report recommended the preparation of a general plan of disarmament to be presented to the next assembly, the nations to furnish inventories of existing armaments, with a statement of the money being spent upon them. The report also recommended an international conference on restriction of the manufacture of arms, condemnation of the use of poison gas in war, institution of world-wide propaganda for disarmament, and an expression of hope for real progress at the Washington conference.

Representatives of Great Britain, France, Italy, Belgium, Sweden, and Australia heartily supported the report, expressing faith in the success of its proposals and urging their prompt execution. The report and its proposals were adopted without dissent.

On Monday, October 3, the assembly decided to amend article 26 of the covenant so as to permit amendments of the covenant by a three-fourths majority of the assembly instead of the unanimous vote before required.

REVIEW COMPLETED.

This brings the league practically to the present day, October 5, with the council and assembly still in session, but on the eve of adjourning their present meetings.

SUMMARY.

Reviewing this account of the league, what are the points that impress us most?

First. For nearly two years an organization embracing nearly all the civilized nations, comprising a billion four hundred million of the billion seven hundred million people on the globe, has been discharging functions of the highest importance under the treaty which settled the affairs of the earth at the conclusion of a universal war, arranging differences and restraining hostilities, which uncomposed might have imperiled the peace of mankind—interchanging views on subjects essential to world harmony and world progress—establishing technical bodies combining the best thought of the earth on objects of common interest and concern, such as international law, armament, health, finance, labor, relief work, cooperation with Red Cross, proper administration of territories changing hands as a result of war, statistics, conditions of transit and travel, passport facilities, repatriation of prisoners, the white-slave trade, the trade in opium and other dangerous drugs, and so forth.

Clearly it is history's first example of definite and harmonious cooperation among so many nations of the world for so long a time on so large a scale and with such practical and far-reaching results.

Second. The creation by the league of the Permanent Court of International Justice is a step of first magnitude toward the

peaceful settlement of international disputes. On the committee which the league designated to frame this court sat some of the foremost jurists of the world, including Elihu Root of the United States. The judges elected by the league to preside in this court are noted experts in international law, including John Bassett Moore of the United States. The Hague peace conferences of 1899 and 1907, which were recognized as the most notable attempts toward permanent peace for mankind that had yet been made, put forth every effort to create a world court to administer matters within the scope of international law as the fundamental, initial step toward the triumph of justice over force in world affairs, but both conferences failed. What they failed to do the league has accomplished.

Third. For nearly two years the league has supervised the government of the territories of the Saar Basin and free city of Danzig, handling problems of the most delicate nature, keeping in view the interests of the inhabitants and the purposes to which these districts were devoted by the treaty of Versailles. It is executing with efficiency various other duties assigned it by the peace treaties, including the supervision of international rivers, protection of minorities in certain countries, and so forth.

Fourth. It has settled the controversy between Sweden and Finland over the Aaland Islands, showing such thoroughness and fairness, and such consideration for all concerned as to enhance its position as peacemaker in the eyes of the world.

Fifth. While it has not as yet reached a final decision in the dispute between Lithuania and Poland, the fact that both countries ceased hostilities when the league was appealed to and refrained from renewing them during the efforts of the league to compose the matter is in itself a remarkable and promising achievement. It is doubtful whether these countries would have submitted to any other tribunal than the league. It is certain that a conflict which might otherwise have rekindled another general war through the involvement of Russia has been kept in abeyance by the moral prestige of the league.

Sixth. It has aided materially in settling an incipient quarrel between Poland and Austria over the disposition of Jewish fugitives and saved these unfortunate people from bitter experiences.

Seventh. It secured the definition of the frontier of Armenia but has been prevented from extending more substantial aid by the fact that the treaty of Sevres has not yet been enforced by the allied powers. The appeals to the league in the Albanian, Austria-Jugoslavia, Panama-Costa Rica, Greece-Bulgaria, Bolivia-Chile, France-Hedjaz, and Persia-Soviet controversies show that the world is looking to the league as a source of international justice.

Eighth. The confirmation of the transfer of the sovereignty of Eupen and Malmedy from Germany to Belgium was another function which it successfully performed.

Ninth. The fact that an organization of 51 nations, comprising more than three-fourths of the earth's population, is pledged to the peaceful settlement of disputes, and may discuss the merits of controversies everywhere has a composing effect on all the world and tends to localize whatever hostilities may from

time to time break out. It has organized the public opinion of almost all mankind for peace, and has thus minimized the chances for the spread of a conflict from country to country and alliance to alliance which before the advent of the league was a perpetual threat to humanity.

Tenth. Its technical financial organization has rendered an immense service through the Brussels conference, where the most comprehensive survey of world finances yet known was made and an international credit system devised with wonderful possibilities. An endeavor to apply this system to Austria, with the allied powers suspending their claims for a period of 20 years, has been balked by the refusal of the United States to take a similar step as to her claims. The Brussels conference warned all countries against any measures of drastic deflation.

Eleventh. Its permanent commission on disarmament is making a profound study of that fundamental question. Mention should here be made of the fact that the absence of the United States from the league has been recognized as one of the greatest obstacles in the way of disarmament. The failure of the United States to ratify the treaty of St. Germain for the regulation of the traffic in arms, although she had previously signed it, is another barrier to the peaceful aims of mankind. It is probable that this matter will be brought to the attention of our Government at the coming conference on limitation of armament.

Twelfth. The league worked out a system of mandate administration under the covenant more than a year ago, but both the league and the allied powers have been halted by the claim of the United States that she must be consulted as to mandates and must approve them before they become operative.

The mandate system of the league is a new and refreshing thing in history. It provides that territories changing control as a result of the war must be administered as a sacred trust for civilization and in the interest of the inhabitants, the mandatory power making a report every year to a league of nations, and thus subjecting its record to the light of a world publicity, the bar of world opinion. In arresting the application of this system for so long a time, with the world in so restless and disturbed a condition, the United States has done more to imperil peace and delay the return of stability than may easily be measured.

Thirteenth. Through its representative, Dr. Nansen, the league has aided in the return of hundreds of thousands of war prisoners to their homes.

Fourteenth. Through its technical bodies and its commissions it is dealing more effectively with the arrest of epidemics, the suppression of the opium traffic, the white-slave trade, and other objects of international concern than has ever been possible before.

Fifteenth. Its technical committee on transit and the great conference at Barcelona held under its direction on this important subject have made marked advances toward the elimination of useless and unnecessary burdens on international shipments. The object is to make possible an uninterrupted shipment on a continuous bill of lading from and to all parts of the world.

Sixteenth. Carrying out the spirit of article 23 of the league covenant whereby the member nations agreed to establish an international organization to secure and maintain fair and humane conditions of labor, both in their territories and in the countries with which they had commercial and industrial relations, part 13 of the Versailles treaty established the International Labor Organization. Membership in the league carries with it membership in this organization; but the latter has an existence entirely distinct from that of the league.

The International Labor Organization was authorized to operate through a general conference and to establish an international labor office to collect and distribute information on all subjects relating to industrial life and labor and perform such other duties as might be assigned it by the conference, as well as certain functions assigned it by the treaty in connection with international disputes.

The general conference meets annually and is composed of four representatives of each member nation. Two of the representatives are selected by the Government, one representing employers, the other employees. The work of the conference is to discuss desirable legislation affecting workers and to embody them in recommendations to member countries for legislative or treaty enactment, as may seem in each case advisable. Its recommendations are in no sense binding on the member nations.

As heretofore indicated, two of these conferences have already been held—the first at Washington in 1919, the second at Geneva in 1920—and their recommendations have been described. It is worthy of note that 36 nations have either enacted legislation or have bills pending in their legislative bodies carrying out one or more of these recommendations. To be more specific, 13 have enacted such legislation and 23 have measures pending.

The International Labor Office has been in operation for more than a year and its activities are of the greatest interest and assistance to the world-wide cause of labor. Investigations by a special commission of experts are being made into the causes of unemployment throughout the world, into conditions surrounding emigration with a view to international understandings for regulation of emigrant traffic and treatment of working-class emigrants. The office is studying from a standpoint of world-wide scope the subjects of cooperation, insurance against sickness, old age, and accident; maternity insurance; help for widows and orphans; industrial relations; agricultural labor; laws affecting labor in all the nations of the earth.

Seventeenth. The recent reference by the supreme council of the allied powers to the league council of the Upper Silesian question with power to act, evidences the rapid advance of the league toward the position the covenant intended it to occupy in the maintenance of world stability.

Eighteenth. The unanimity and the spirit of concession which have marked the league's proceedings for nearly two years are among the chief evidences of its capacity to function under the covenant.

What an array of achievement in the interest of world brotherhood and universal peace! In view of its record is not the league entitled to our support? Is it not clear that the help of

the United States is the one thing needful for the complete assurance of its future? Is it not evident that the finger of Almighty God points the United States to the vacant chair at the council table of the earth? Shall we continue to stand apart while the other nations make this greatest effort of all time to set up justice and to tear down force? Is all the horror that gripped the world for four black years to teach us nothing?

The overshadowing object of our entry into the world struggle was the overthrow of war and the gospel of war. That was the purpose for which our soldiers exhibited a valor that will live forever.

A world at peace! Consummation sublime!

Thinkers, philosophers, statesmen, teachers, prophets in all periods have expressed the longing of humanity for peace. This longing was embodied in the visions of Isaiah, who pictured peace as the natural state of all mankind, and all mankind one brotherhood under the one and only God. Its application to all the world was foreshadowed in the league of Grecian States, by which they were federated into a workable whole. It was dimly seen in Plato's dream of an ideal republic. It permeated the doctrines of the Stoics, a system of philosophy based on the concept of every man as friend, not foe. It obtained portrayal in the deliverances of that orator of ancient days, Isocrates. It was suggested in the writings of Virgil and Cicero, of Seneca, of Horace, and of Tacitus. It was the theme of the angels as they sang the advent of the Messiah. It prompted the measures with which the church curbed medieval violence and disorder. It inspired the teachings of Erasmus. It found expression in Queen Elizabeth's "great design" for a European federation and in the proposal of Henry IV and his prime minister, Sully, for a Christian Republic of Christian States. It was illustrated in the treatise of De la Croix, who proposed a world tribunal for the prevention of war. It was reflected in the thought of Locke, who denounced war as inconsistent with morality. It was exemplified in the plan of William Penn for a sovereign State of Europe. It was mirrored in the preachings of Fenelon, the reasoning of Leibnitz. It was imbedded in the celebrated project of the Abbe of Tours, Charles St. Pierre, for a republic of nations. It was defined in the philosophy of Rousseau, the conceptions of Jeremy Bentham and the mysterious Gondard. It found spiritual realization in the theories of Immanuel Kant. But it was crystallized for the first time in an actual human institution when nearly all the civilized countries of the earth ratified the treaty of Versailles and established a league of nations for the preservation of world peace.

Believing that the issue of issues before the United States and all mankind is the League of Nations created by the treaty of Versailles, or another earth-wide crash; that this league, slow though may appear its processes and numerous the difficulties which surround it, offers to this generation and to this century the only hope of the final establishment of organized right and justice among the nations, I can not vote for any enactment in which, once more asserting our isolation from the league, we emphasize our desertion of humanity.

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